STATE BOARD OF ELECTIONS

STATE OF ILLINOIS

2329 S. MacArthur Blvd. Springfield, Illinois 62704-4503 217/782-4141 TTY: 217/782-1518

Fax: 217/782-5959

James R. Thompson Center 100 W. Randolph St, Ste 14-100 Chicago, Illinois 60601-3232 312/814-6440 TTY: 312/814-6431

Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller

BOARD MEMBERS William M. McGuffage, Chairman Jesse R. Smart, Vice Chairman Harold D. Byers Betty J. Coffrin Ernest L. Gowen Judith C. Rice Brvan A. Schneider Charles W. Scholz

AGENDA STATE BOARD OF ELECTIONS **BOARD MEETING** Monday, March 19, 2012 10:30 a.m.

2329 S. MacArthur Blvd. Springfield, Illinois and via videoconference James R. Thompson Center – Suite 14-100 Chicago, Illinois

Call State Board of Elections to order.

- 1. Approval of the minutes from the February 22 meeting, (sent under separate cover)
- 2. **Report of the General Counsel**
 - Campaign Disclosure:

Motion for settlement offer

- 1) Citizens for Lyle, 14153, 11AJ043; (pgs.1-3)
- 2) Friends for Proco Joe Moreno, 20809, 11DQ-CL001; (pgs.4-6)

Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be granted

- SBE v. United Home Owners/Good Gov't Party, 4271, 11AJ086; (pgs.7-17)
- 4) SBE v. Village Manager Assn. of Oak Park, 4301, 11AJ087; (pgs.18-21)
- 5) SBE v. Silverstein for Senator, 13356, 11AS018; (pgs.22-26)
- 6) SBE v. Citizens for Patricia Gira, 17447, 11AJ102; (pgs.27-30)
- 7) SBE v. Friends of Steve Dove, 20304, 11SQ026; (pgs.31-33)
- 8) SBE v. Citizens for Chris Crawford, 22593, 11SQ147; (pgs.34-38)
- SBE v. Friends of Lisa Ciampoli, 23080, 11SQ198; (pgs.39-42) 9)
- 10) SBE v. Dove for Senate, 23836, 11SQ236; (pgs.43-45)

Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be denied

- 11) SBE v. Bureau County Republican Central Committee, 331, 11MA045; (pgs.46-49)
- 12) SBE v. Illinois Vendors PAC, 399, 11AJ019; (pgs.50-52)
- SBE v. Illinois Vendors PAC, 399, 11SQ007; (pgs.53-55) 13)
- 14) SBE v. Illinois AFL-CIO COPE, 405, 11MA089; (pgs.56-61)
- 15) SBE v. ITW Sate PAC, 488, 11MQ037; (pgs.62-67)
- SBE v. Citizens for Skoien State Committee, 1681, 11SQ014; (pgs.68-71) 16)
- 17) SBE v. Citizens for Tom Bennington, 7703, 11SQ025; (pgs.72-74)
- 18) SBE v. Friends of Rick Faccin, 10108, 11AS015; (pgs.75-77)
- 19) SBE v. Ben Pettie CPA for County Auditor, 12020, 11SQ105; (pgs.78-82)

- 20) SBE v. PCI Political Account, <u>12467</u>, 11AS017; (pgs.83-85)
- 21) SBE v. HWP Precinct Organization, <u>12714</u>, 11MQ003; (pgs.86-91)
- 22) SBE v. Kaneland Referendum Committee, 15909, 11SQ055; (pgs.92-94)
- 23) SBE v. Friends of Montelongo, <u>16029</u>, 11MA100; (pgs.95-100)
- 24) SBE v. McAvoy for Alderman Committee, <u>17306</u>, 11SQ120; (pgs.101-105)
- 25) SBE v. Citizens to Elect Ray Kincaid, <u>17409</u>, 11MA105; (pgs.106-110)
- 26) SBE v. Illinois Assn. of Chiefs of Police PAC, <u>17441</u>, 11SQ067; (pgs.111-113)
- 27) SBE v. Mark J. Gernigin Campaign, 18746, 11MQ039; (pgs.114-117)
- 28) SBE v. Friends of Tara McAnarney-Gibbs, <u>18978</u>, 11SQ074; (pgs.118-121)
- 29) SBE v. Cerda for Clerk, <u>19913</u>, 11MQ008; (pgs.122-127)
- 30) SBE v. Friends of Eugene Williams, <u>19769</u>, 11SQ080; (pgs.128-130)
- 31) SBE v. Friends of Arnold R. Crater, <u>20287</u>, 11AQ083; (pgs.131-134)
- 32) SBE v. Harper College Adjunct Faculty Assoc., 20930, 11SQ098; (pgs.135-139)
- 33) SBE v. Rotheimer for Lake County Board, <u>21282</u>, 11MA064; (pgs.140-144)
- 34) SBE v. Rotheimer for Lake County Board, <u>21282</u>, 11SQ247; (pgs.145-148)
- 35) SBE v. Friends of Maureen Kelly, <u>22377</u>, 11MA117; (pgs.149-151)
- 36) SBE v. Carol for Chicago, <u>22987</u>, <u>11AM127</u>; (pgs.152-157)
- 37) SBE v. Friends of Dan Wright, <u>23235</u>, 11MA124; (pgs.158-165)
- 38) SBE v. Jane Adams for Carbondale Committee, 23430, 11SQ211; (pgs.166-168)
- 39) SBE v. Committee to Elect Mark Kochan Judge, <u>23623</u>, 11AJ121; (pgs.169-171)

Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be granted and denied

- 40) SBE v. Friends of Miriam Shabo, <u>21302</u>, 11MA114; (pgs.172-176)
- 41) SBE v. Friends for Miles, 23275, 11MA081; (pgs.177-186)
- 42) SBE v. Joy Cunningham for Justice, <u>23691</u>, 11AS046; (pgs.187-201)

<u>Appeals of contribution limit fines – new appeals – hearing officer</u> recommendation appeals be granted

- 43) SBE v. Chicago for Rahm Emanuel, 22989, 11MQ-CL013; (pgs.202-208)
- 44) *SBE v. Citizens for Powell, Brady & Cardella,* <u>23388</u>, 11MQ-CL011; (pgs.209-211)

Appeals of contribution limit fines – new appeals – hearing officer recommendation appeals be denied

- 45) SBE v. Citizens for Viverito, 6053, 11MQ-CL010; (pgs.212-214)
- 46) SBE v. Citizens to Elect Judge Brendan Maher, <u>23566</u>, 11SQ-CL004; (pgs.215-221)

Other campaign disclosure items

- 47) Civil Penalty Assessments/Final Orders; (pgs.222-229)
- 48) Contribution Limit Penalty Assessments/Final Orders; (pg.230)
- 49) Payment of civil penalties informational; (pg.231)

Complaint following closed preliminary hearing (separate packet)

- 50) Motion for reconsideration Zurek v. Democratic Party of Leyden Township, 11CD212; (pgs.1-10)
- 51) Moreno v. Friends of Jesse Ruben Juarez, 12CD014; (pgs.11-13)
- 52) Moreno v. 1st Ward Committeeman Fund, 12CD015; (pgs.14-16)
- 53) Barack v. Neighbors for Gregory Emmett Ahern, Jr., 12CD016. (pgs.17-21)

3. Report of the Executive Director

- a. Preparations for the March 20, 2012 General Primary Election;
 - 1) Election day assignments; (pg.232)
 - 2) Voting systems pre-testing: (pg.233)
 - 3) Election judge training schools informational; (pgs.234-235)
 - 4) Candidate withdrawals following certification; (pgs.236-247)
- Method for random sample of signatures for constitutional amendments; (pg.248)

State Board of Elections Agenda/March 19, 2012 Page 3

- 1) State of Wisconsin update; (pg.249)
- c. Legislative update; (oral report)
- d. National Conference of State Legislatures; (pg.250)
- e. Electronic canvass update; (oral report)
- f. IVRS update informational; (pgs.251-254)
- g. Census data versus registered voters; (pg.255)
- h. Election Management System update; (pgs.256)
- i. Springfield office relocation expense report; (pg.257)
- j. Fiscal status reports informational;
 - 1) FY12 month ending ; (pgs.258-265)
 - 2) Help Illinois Vote Fund; (pgs.266-271)
- k. Two year plan of staff activity for the months of March & April informational. (pgs.272-276)
- 4. Follow up. (pg.277)
- 5. Comments from the general public. (pg.277)
- 6. Next Board meeting at 10:30 a.m. on Friday, April 20, 2012 in Chicago. (pg.277)
- 7. Executive session. (pgs.278-285)

ROLLS THE REPORTOR SEVEN

March 2, 2012

State Board of Elections State of Illinois Campaign Disclosure 2329 S. Mac Arthur Blvd. Springfield, IL 62704

To Whom It May Concern:

RE: Citizens for Lyle ID# 14153

Civil Penalties of \$2,500.00

We would like to set up a payment plan to pay the outstanding Civil Penalties charged to our committee. Currently, we do not have enough money to pay the entire fine. We are able to send a check for \$250.00 at this time. We will continue to send payment of \$250.00 per month (April 2012 – December 2012) until the debt is paid in full. If we are able to send the full balance at anytime during the 10 month period, we will do so.

Thank you for your consideration. I can be reached at 773-288-1631 or 773-860-1631.

Sincerely yours,

Kesemany Manuel
Rosemany McDaniel

CK #3195

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601

312/814-6440 Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller March 5, 2012

ID # 14153

11HJO45 8/30/1,

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Lyle PO Box 198480 Chicago, IL 60619

Dear Citizens for Lyle:

We are in receipt of your check or credit card payment in the amount of \$250 for payment of a civil penalty for the delinquent filing of campaign disclosure report(s). This payment is being forwarded to the State Treasurer for deposit in the General Revenue Fund.

Thank you for your compliance with the Illinois Campaign Disclosure Act.

Sincerely,

Sharon Steward, Director

Division of Campaign Disclosure

SS: jr

STATE OF ILLINOIS)) SS		
COUNTY OF COOK)		
		STA	TE BOARD OF ELECTIONS STATE OF ILLINOIS
In the Matter Of:)	
Illinois State Board of Elections)	
Complainant(s),)	
•)	
Vs.)	11 AJ 043
)	
Citizens for Lyle)	
Respondent(s).)	
			FINAL ORDER

TO: Citizens for Lyle

5726 S Stony Island Ave Chicago, IL 60637-2002 1D # 14153

This matter coming to be heard this 20th day of December, 2011, as an appeal of the imposition of a civil penalty under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections having read the report of the Hearing Officer and reading the recommendation of the General Counsel and now being fully advised in the premises.

THE BOARD FINDS:

- 1. In case number 11 AJ 043, a \$5000.00 civil penalty was initially assessed against the Respondent for the delinquent filing of Schedule A-1's; appeal was taken from this assessment, and
- 2. The committee was previously assessed a penalty of \$12,338.00 for the delinquent filing of Schedule A-1's during the March 2011 Quarterly reporting period and a penalty of \$832.00 for the delinquent filing of a Schedule A-1 report during the June 2011 Quarterly reporting period (11 MA 028). The appeal of this assessment was both granted and denied, the total amount was reduced to \$1550.00 by the Board, and remains unpaid, and
- 3. The recommendation of the Hearing Officer, in which the General Counsel concurs, is that the appeal be denied for lack of an adequate defense, but that pursuant to section 9-10 of the Code, the assessment be reduced to \$2500.00 (50% of the value of the delinquently reported contributions).

IT IS ORDERED:

- 1. That the recommendation of the Hearing Officer and the General Counsel is adopted and the appeal is DENIED; and
- 2. A civil penalty in the amount of \$2500.00 is imposed and is now due and owing within 30 days of the effective date of this Order. The previously assessed penalty of \$1550.00 remains unpaid and is past due, and
- 3. The effective date of this Order is December 22, 2011, and
- 4. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 12/22/2011

William M. McGuffage, Chairman







January 13, 2012

State Board of Elections, State of Illinois James R. Thompson Center 100 W Randolph Street, Ste 14-100 Chicago, IL 60601-3232

Dear Board of Elections and General Counsel:

I received the final order (11 DQ-CL001) last month. I had never received the initial letter detailing the alleged offense. However, per suggestion from the State Board of Elections I offer the following:

A payment schedule of \$300 per month, once a month to begin on January 20, 2012. I will continue to mail a \$300 check per month until the \$3500 excess amount is paid in full (the last month's payment will be for \$200). I have enclosed a check for \$300 for the first month's payment. Total amount will be paid in one year.

I hope this schedule and payment is fair and reasonable to the Board of Elections. Although I know there is no difference in the law, this "excess amount" was actually an In Kind contribution so I am paying the excess out of other funds raised.

I hope this schedule and arrangement meets with the Board's approval.

Sincerely,

Proco Joe Moreno Alderman, 1st Ward

* * * * *

First Ward First Independent Democratic Organization 2058 N. Western Ave. Unit B Ch

0647

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

2329 S MacArthur Blvd. PO Box 4187 Springfield, Illinois 62704 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 W. Randolph Street, Ste 14-100 Chicago Illinois 60601-3232 312/814-6440

312/814-6440 Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller February 21, 2012

ID # 20809

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Betty J. Coffrin
Ernest C. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends for Proco Joe Moreno 1330 N Leavitt St Chicago, IL 60622

Dear Committee:

We are in receipt of your check in the amount of \$300.00 as partial payment of a escheatment for violation of the contribution limits provided in 10 ILCS 5/9-8.5. This payment is being forwarded to the State Treasurer for deposit in the General Revenue Fund.

As previously advised, your check made to the incorrect payce of "City of Chicago" is being returned to you. Your request for a payment plan for the outstanding balance of \$3200.00 will be place on the agenda of the March 2012 meeting for Board consideration.

Thank you for your compliance with the Illinois Campaign Disclosure Act. If you have any questions or concerns please feel free to contact our office.

Sincerely

Sharon Steward, Director

Division of Campaign Disclosure

SS: sk

STATE OF ILLINOIS)
COUNTY OF COOK) SS)
	STATE BOARD OF ELECTIONS STATE OF ILLINOIS
In the Matter Of:)
State Board of Elections Complainant(s),))
Vs.)) 11 DQ – CL001
Friends for Proco Joe Mor Respondent(s).	reno)
	FINAL ORDER
TO: Friends for Proco. 1330 N Leavitt St Chicago, IL 60623	

This matter coming to be heard this 20th day of December, 2011 as an imposition of a civil penalty under Article 9 of the Illinois Election Code (10 ILCS 5/9-8.5), and the State Board of Elections being fully advised in the premises,

THE BOARD FINDS

- 1. In case number 11 DQ CL001, a \$5250.00 civil penalty was initially assessed against the Respondent for violation of the contribution limits; and
- 2. An appeal of the civil penalty was not submitted by the committee, and
- 3. Section 9-8.5 requires the amount received in violation of the contribution limit be escheated to the State, and
- 4. Pursuant to section 9-10 of the Code, the assessment is reduced to \$525.00 (10% of the amount in violation of the campaign contribution limit).

IT IS ORDERED:

- 1. A civil penalty in the amount of \$525.00 is imposed and is stayed as a first violation; and
- 2. The amount of \$3500.00, which is the amount received in excess of the contribution limit, shall escheat to the State Treasurer within 30 days of the effective date of this Order; and
- 3. The effective date of this Order is December 21, 2011, and
- 4. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 12/21/2011

William M. McGuffage, Chairman

STATE OF ILLINOIS COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

Vs. 11 AJ 086

United Home Owners/Good Govt Party 4271 **Respondent**

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for the Delinquent Filing of A Schedule A-1 for the 2nd Quarter of 2011

This Committee received a \$7,500 contribution on 6/20/11 and failed to file a Schedule A-1 resulting in a civil penalty assessment of \$3,750. Additionally, the Committee had previously been assessed a \$50 civil penalty (not appealed, stayed, expired) for delinquently filing the December 2008 Semi-Annual Report, and a \$50 civil penalty (not appealed, stayed) for delinquently filing the June 2011 Quarterly Report. The total assessment is \$3,800.

The Respondent did not appear for the February 15th appeal hearing.

The Respondent did not appear at the appeal hearing and I have not talked to nor have I heard from them regarding this appeal. I am basing my recommendation on the information the committee supplied on the appeal affidavit that they submitted to the State Board of Elections.

The appeal affidavit indicated that the Committee did not receive any new money during the reporting period. The Committee transferred funds from a certificate of deposit to their checking account.

To clarify, the United Home Owners/Good Govt Party took \$7,500 from their CD and deposited into their savings account. The Committee did not report this correctly within the IDIS program and that is why they were assessed a fine. I recommend the appeal be granted. I also recommend that Committee amend the June, September, and December 2011 Quarterly Reports to correctly report that the Committee moved \$7,500 from their CD to their operating account within 30 days of the Final Order.

Andy Nauman – Hearing Officer

February 27, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

Fax: 312/814-6485



BOARD MEMBERS William M. McGuffage, Chairman Jesse R. Smart, Vice Chairman Harold D. Byers Bety J. Coffrin Ernest L. Gowen Judith C. Rice Bryan A. Schneider Charles W. Scholz

December 5, 2011

United Home Owners/Good Govt Party James Sexton 9437 S Hamlin Evergreen Park, IL 60805

ID# 4271

Dear United Home Owners/Good Govt Party:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

Contributed By	<u>Date of</u>	Amount of	Date A-1	<u>Days</u>	<u>Fine</u>
	<u>Contribution</u>	Contribution	Received	<u>Late</u>	<u>Assessed</u>
Standard Bank & Trust	6/20/11	\$7500	*	n/a	\$3750

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$3750 for delinquently filing Schedule A-1 reports. This total does not reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$375, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (January 4). This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
April 1 through June 30, 2011	Quarterly	\$50
TOTAL AMO	\$425	

State of Illinois STATE GOADD OF ELECTIONS County of Coole 11 DEC 27 AM ID: 31 BEFORE THE STATE BOARD OF ELECTIONS OF THE STATE OF ILLINOIS TD#42-11 IN THE MATTER OF; ILLINOIS STATE BOARD OF ELECTIONS, Complainant Vs. Respondent(s). APPEAL AFFIDAVIT I, Mariel F. McKeined, the Director of Flater (Name) (Chairman/Treasurer) (Name of the Committee) Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are: For the 24 porting praised of 4/1/2011 ofhun 6/30/11 there noncy exergical by this committee. The only completed was a transfer between other Eastefrente

Plans ratar to orthochmants for detrile. Signed and Sworn to by: Sance F. Meleour (Signature of Chairman/Treasurer) OFFICIAL SEAL BURTON S ODELSON Notary Public State of Illinois My Commission Expires May 25, 2013

before me this 21 AD Day of

Notary Public



3318 WEST 95TH STREET EVERGREEN PARK, IL 60805 (708) 424-5678 FAX (708) 425-1898

OFFICES IN CHICAGO
DUPAGE AND WILL COUNTIES

www.odelsonsterk.com

December 21, 2011

Campaign Disclosure State Board of Elections State of Illinois 1020 Spring Street Springfield, Illinois 62708

Re: U

United Home Owners/Good Govt Party

Civil Penalty Assessments

To Whom This May Concern:

I am the attorney for the United Home Owners/Good Gov Party. I am enclosing the appeal affidavit, waiver of appearance and request for hearing and supporting documents relative to the above-captioned matter. Should you require anything further, please do not hesitate to contact me.

Very truly yours,

ODELSON & STERK, LTD.

BSO/ps enclosures





Statement Period 06-01-11 to 06-30-11

UNITED HOMEOWNERS OF EVERGREEN PARK 9308 S SACRAMENTO EVERGREEN PARK IL 60805

Account#

Maryland

Page 1

Balance Sum	ımary			
Deposits			Account #	Balance
BUSINESS NOV 12-17 MONTH C			418489001 418489211	9,416.76 \ 83,444.41
Total Deposits				\$92,861.17
BUSINESS NO	w		Account # 418489001	·
Beginning Balance Additions to Your <i>I</i> Checks and Other	\ccount			\$2,416.34 7,500.42 (500.00)
Ending Balance on	06-30-11			9,416.76
Additions to Y	our Account			
Date	Amount	Description		
06-20-11 06-30-11	7,500.00 0.42	DEPOSIT INTEREST		
	\$7,500.42	Total Amount of Additions		
Checks				
Check # Date	Amo		Amount Check # Date	Amount
5726 06-08		.00 5727 06-15	ለበብ በበም I	



UNITED HOMEOWNERS OF EVERGREEN PARK
9308 S SACRAMENTO

9308 S SACRAMENTO EVERGREEN PARK IL 60805 Statement Period 06-01-11 to 06-30-11

Account #



Page 2

Daily Balance Summary

Date	Balance	Date	Balance	Date	Balance
06-08-11 06-15-11	2,316.34 1,916.34	06-20-11 06-30-11	9,416.34 9,416.76		

Certificates of Deposit

Certificate Number	Maturity Date	Interest Rate	Next Int Date	Next Int Amount	Current Balance
418489211	08-05-11	0.8522%	07-04-11 B	61.08	\$83,444.41
Total					\$83,444.41

(B) Interest will be paid by compounding

Rate and yield information will be available on the Maturity Date of your account and can be obtained by contacting the Bank at 866-499-BANK (2265). You will have 10 days grace period after maturity to withdraw the funds without penalty.



CUSTOMER:

AS OF:

06/21/11

PAGE 1

12-17 MONTH CERTIFICATE 418489211

INTEREST RATE:

.8520 %

ORIGINAL ISSUE DATE:

04/05/01 MATURITY DATE:

08/05/11 12 MONTHS

ORIGINAL ISSUE VALUE: LAST RENEWAL DATE:

90,310.05 TERM: 08/05/10

LAST RENEWAL VALUE: 90,301.36

> *********** *APPROACHING RENEWAL ADVICE*

YOUR CERTIFICATE WILL MATURE ON 08/05/11. INTEREST WILL BE COMPOUNDED ON A DAILY BASIS. INTEREST WILL BE CREDITED TO YOUR CERTIFICATE MONTHLY. THE CURRENT BALANCE OF YOUR 12-17 MONTH CERTIFICATE IS 83,444.41. IF THE CERTIFICATE RENEWS, THE NEW MATURITY DATE WILL BE 08/05/12.

YOUR STANDARD BANK AND TRUST CERTIFICATE WILL RENEW AT THE CURRENT RATE IN EFFECT FOR THIS TERM UPON MATURITY, UNLESS YOU MAKE A CHANGE OR REDEEM YOUR ACCOUNT WITHIN THE 10 DAY GRACE PERIOD. THE RATE AND YIELD HAVE NOT YET BEEN DETERMINED. YOU MAY OBTAIN NEW RATE AND YIELD INFORMATION AND VERIFY THE TERM BY CALLING 866-499-2265 ON OR AFTER 08/05/11.





Statement Period 04-30-11 to 05-31-11

Account #

Page 1

Balance Summa	rv
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Deposits **BUSINESS NOW ACCOUNT** 12-17 MONTH CERTIFICATE

Account # 418489001 418489211

Balance 2,416.34 90,878.63

Total Deposits

BUSINESS NOW

Beginning Balance on 04-29-11 Additions to Your Account Checks and Other Deductions

Ending Balance on 05-31-11

Account # 418489001

\$3,616,04 0.30 /

(1,200.00)

2,416.34

Additions to Your Account

Date

Amount

Description

05-31-11

0.30

INTEREST

\$0.30

Total Amount of Additions

Checks

Check #	Date	Amount 200,00 100,00	Check #	Date	Am
5719	05-02	200.00	5724	05-27	40
5723*	05-06	100.00	5 725	05-31	50
* Indiantor	Skin in Chaol	Alumbara			

Check# Date mount 400.00° 500.00 Total \$

Amount

\$1,200.00

Indicates Skip in Check Numbers



Statement Period 04-30-11 to 05-31-11

Account #



Page 2

D = : l	D-1-		C		
Daily	Bala	nce	Sum	man	ı

Date	Balance	Date	Balance	Date	Balance
05-02-11 05-06-11	3,416.04 3,316.04		2,916.04 2,416.34		

Certificates of Deposit

Certificate Number	Maturity Date	Interest Rate	Next Int Date	Next Int Amount	Current Balance
418489211	08-05-11	0.8522%	06-04-11 B	65.78	\$90,878.63
Total					\$90,878.63

(B) Interest will be paid by compounding

Rate and yield information will be available on the Maturity Date of your account and can be obtained by contacting the Bank at 866-499-BANK (2265). You will have 10 days grace period after maturity to withdraw the funds without penalty.





* Indicates Skip in Check Numbers

UNITED HOMEOWNERS OF EVERGREEN PARK 9308 S SACRAMENTO EVERGREEN PARK IL 60805 Statement Period 04-01-11 to 04-29-11

Account #



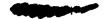
Page 1

Balance	Summ	ary						
Deposits	i				Account #		Balance	
	SS NOW A ONTH CER			418489001 418489211			3,616.04 90,815.01 V	
Total Dep	posits						\$94,431.05	
BUSINES	s NOW				Account # 418489001			
	Balance on						\$11,538.87	
	o Your Acco d Other De						0.61 (7,923.44)	
	ance on 04						3,616.04	
Addition	s to You	r Account						
Date		Amount	Description					
04-29-11		0.61	INTEREST					
		\$0.61	Total Amount o	of Additions				
Checks								
Check #	Date	Amoi	unt Check#	Date	Amount, Check #	Date	Amount	
5709	04-27		5714	04-19	400.00 5718	04-22	150.00	
5711* 5712	04-06 04-07	368. 25	.72 5715 .00 5716	04-07 04-21	3,074.00 5720* 1,000.00 5721	04-20 04 - 21	100.00 ^ 2,340.72 ~	
				04-15	25.00 5722	04-27	40.00	
5713	04-05	150.	.00/ 3/1/	04-13	25.00	0-1 E-1	40.00	



Statement Period 04-01-11 to 04-29-11

Account #



Page 2

Daily Balance Summary

Date	Balance	Date	Balance	Date	Balance
04-05-11 04-06-11 04-07-11	11,388.87 11,020.15 7,921.15	04-19-11 04-20-11 04-21-11	7,496.15 7,396.15 4,055.43	04-27-11 04-29-11	3,615.43 3,616.04
04-15-11	7,896.15	04-22-11	3,905.43		

STATE OF ILLINOIS COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

11 AJ 087

Village Manager Assn of Oak Park Cmte ID: 4301 Respondent

 \mathbf{v} .

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment For Failing to File a Schedule A-1 Report

The Committee failed to file a Schedule A-1 in connection with a \$3400 receipt from Citizens for Accountable Leadership, dated June 3, 2011. The receipt was reported on the Committee's June 2011 Quarterly Report, received July 14, 2011, 17 days after the scheduled due date of the A-1, resulting in a fine of \$1700. As this is the Committee's first delinquent A-1 filing, it is assessed at 10% of the above-referenced fine amount, \$170.

Brad Bartels, the Chairman of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Mr. Bartels stated the receipt from Citizens for Accountable Leadership was, in fact, repayment in full for a loan the Committee had made on January 20, 2011. He said the Committee identified the repayment as a Transfer In based on a misunderstanding pursuant to a conversation with Board staff.

1 recommend the appeal be granted. Loan repayments are not subject to the statutory A-1 requirement. A review of the Committee's Report filings supports Mr. Bartels' assertion in this matter. As of December 31, 2011, the Committee's reported cash balance was \$3,529.26.

John Levin – Hearing Officer February 27, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

Fax: 312/814-6485

EXECUTIVE DIRECTOR Rupert T. Borgsmiller

BOARD MEMBERS BOARD MEMBERS William M. McGuffage, Chairman Jesse R. Smart, Vice Chairman Harold D. Byers Bety J. Coffrin Ernest L. Gowen Judith C. Rice Bryan A. Schneider Charles W. Scholz

December 5, 2011

Village Manager Assn of Oak Park **Brad Bartels** 605 S Harvey Ave Oak Park, IL 60304

ID# 4301

Dear Village Manager Assn of Oak Park:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000

or more as required by the Illinois Campaign Disclosure Act:

Contributed By	Date of Contribution	Amount of Contribution	Date A-1 Received	Davs <u>Late</u>	Fine Assessed
Citizens for Accountable Leadership	6/3/11	\$3400	7/14/11	23	\$1700

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$1700 for delinquently filing schedule A-1 reports.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$170, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (January 4). Since your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be staved as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If you have any questions regarding the appeal procedure, please call Jennifer Ronimous at 217-782-1543.

Sincerely.

Sharon Steward

Director, Campaign Disclosure Division

SS: jr

Enclosures: appeal packet

^{*} This contribution was reported on the June Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

State of Illinois	STATE BOARD OF THE CTIONS
County of Cook)	11 DEC 29 PM 12: 08
	E BOARD OF ELECTIONS ATE OF ILLINOIS
IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,))
Complainant)
-Vs.)- Gase No. 11 A J 0 8 7
Village Manager Assn of Oak Park)
Respondent(s).	,
APPEAL	AFFIDAVIT
I, Brad A. Bartels	Chairman of the
(Name) Village Manager Assn of Oak Park	(Chairman/Treasurer)
(Name of t	the Committee)
	states that he/she represents that the said committee sment of a civil penalty in this matter, and that such
In response to the claim that the V	Village Manager Association (VMA) of Oak Park
failed to timely file a Schedule A-	-1 Report of Campaign Contributions of\$1,000
or more, it is our contention that	we were not required to file a Schedule A-1
because the funds received were a	loan repayment and nota contribution.
See attached explaination as our de	efense.
Signed and Sworn to by: Thingvinua before me this Day of	Ka A FMAIL
Transfer , 2011	(Signature of Chairman/Treasurer)
Notary Public "	[₹] 20 3.23.23

APPEAL AFFIDAVIT DEFENSE RESPONSE - Continued

On January 10, 2011 the VMA loaned the Citizens For Accountable Leadership \$3,400. This committee filed a Schedule A-1 Report (see attached – Exhibit A). In turn the Citizens For Accountable Leadership committee repaid the principal on May 26, 2011 (see Schedule B of their Form D-2 – Exhibit B). This was received on June 3, 2011 by the VMA. Given that it was not a "contribution" and rather a loan repayment we did not file a Schedule A-1. We did seek out clarification from the Illinois State Board of Elections as to the proper accounting for the loan repayment on July 14, 2011 prior to submitting our 2nd Ouarter D-2 filing (Exhibit C). In an email, our Treasurer, Tom Gull, stated and asked, "In January, the VMA made a loan to a political party. They repaid the loan in June. How do I enter the receipt of that repayment? Under other receipt?" Do I type in "loan repayment" under description?" Jason Hinds, Campaign Disclosure Specialist, Illinois State Board of Elections, responded, "You can just show that as a transfer in since it's from another committee. The Other Receipts section is used normally for things like refunds, writing checks not cashed back into your totals, interest income and the like" (see attached exchange – Exhibit D). We then filed our Form D-2 in accordance with Mr. Hinds' instructions.

Based on these facts, we ask that our appeal be granted.

Respectfully submitted,

Brad Bartels, President, Oak Park Village Manager Association.

December 28, 2011

STATE OF ILLINOIS COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

V.

Silverstein for Senator

11 AS 018

Respondent

ID# 13356

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of Schedule A-1 Reports

The Committee received a \$1,000 contribution on 8/25/11 and a \$1,000 contribution on 9/28/11 and reported both on a Schedule A-1 received by the Board on 10/17/11, 30 and 7 days late respectively, resulting in a civil penalty assessment of \$1,000. Additionally, the Committee had previously been assessed a \$100 civil penalty (not appealed, paid) for delinquently filing two Schedule A-1s in the 2nd quarter of 2011. The total assessment is \$1,000.

Brian Alexander, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Alexander states that the incorrect date of receipt was used for each contribution. He says the Committee actually deposited both contributions on October 17, 2011. Mr. Alexander adds that the Committee has already amended its September 2011 Quarterly Report to remove the contributions and put them on the December Quarterly Report.

After contacting Mr. Alexander, he was able to provide a copy of a bank deposit slip showing the two contributions deposited on October 17. Since this is legally considered to be the date of receipt, the Committee's Schedule A-1 was in fact filed on time. I recommend the appeal be granted. (As of 9/30/11, this Committee reported a funds available balance of \$53,949.63.)

Tom Newman – Hearing Officer December 22, 2011

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

312/814-6440 Fax: 312/814-6485



BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Silverstein for Senator Marvin Loskove 6833 N Kedzie Ave Chicago, IL 60645 ID # 13356

Dear Silverstein for Senator:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

Contributed By	<u>Date of</u> Contribution	Amount of Contribution	Date A-1 Received	<u>Days</u> <u>Late</u>	<u>Fine</u> <u>Assessed</u>
Simmons Bowder Gianaris Angelides & Barnerd	8/25/11	\$1000	10/17/11	30	\$500
Wine & Spirit Distributors of IL PAC	9/28/11	\$1000	10/17/11	7	\$500

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$1000 for delinquently filing schedule A-1 reports. This total *does not* reflect any previously assessed fines.

Since this is the second delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$500, (50% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (January 4). This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

State of Illinois)		STATE BOARD OF FUTUR	17///8
County of Cook)		11 DEC 12 AM 10: 3	13
	BEFORE THE STATE BOOK THE STATE			
IN THE MATTER	OF;)		
ILLINOIS STATE	BOARD OF ELECTIONS,)		
	Complainant)		
vs.) 1	No. 11 AS018	
SILVERSTEIN FO ID # 13356	•)))		
	Respondent)		

APPEAL AFFIDAVIT

- I. BRIAN E. ALEXANDER, the TREASURER of the SILVERSTEIN FOR SENATOR Committee, first being duly sworn deposes and state that he represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:
- 1. That on October 17, 2011, entries were made into the IDIS program for Silverstein for Senator reflecting receipts allegedly received on that day by the undersigned treasurer from Simmons Browder Gianaris Angelides & Barnerd LLC and Wine & Spirit Distributors of IL PAC, each in the amount of \$1000.00. Both entries were incorrect. Both contributions were received by the Treasurer that day, October 17, 2011, but the date of the contribution was inadvertently entered as the date on the correspondence transmitting the checks to intermediaries which were later forwarded to the campaign.
- 2. The date that the A-1s were filed for these contributions was October 17, 2011, which

was the date they were entered into the IDIS program and which was the actual date which they were received by the treasurer who receives all contribution payments and makes all deposits into the bank for the campaign.

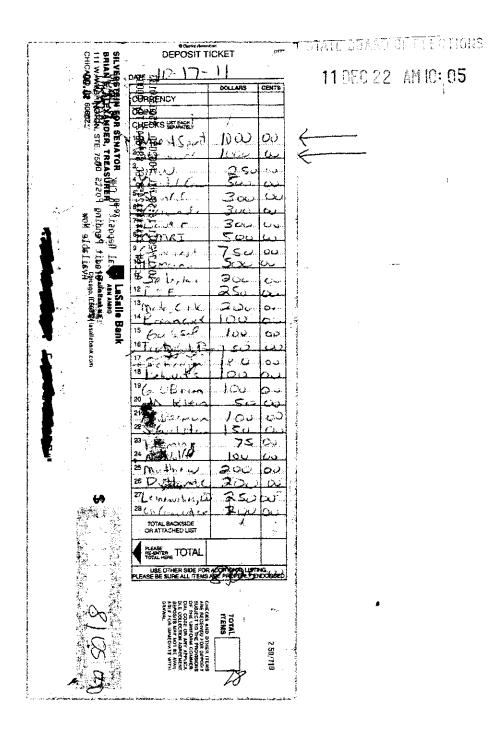
- 3. The contributions were both deposited in the account of Silverstein for Senator on that same date-- October 17, 2011.
- 4. An amendment to the D2 for the filing period of July 1, 2011 to September 30, 2011, which original report incorrectly included these contributions with the incorrect date of receipt, has been filed with the State Board of Elections.
- 4. That neither of the contributions set forth in the Complaint were in fact received on the dates previously reported, and that both contributions were recorded in the program and an A-1 generated on the same day that they were actually received.

Signed and Sworn to before me this day of December. 2011

Brian E. Alexander, Treasurer

Notary Public

S11650



STATE OF ILLINOIS COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v.

11 AJ 102

Citizens for Patricia Gira

ID# 17447

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of a Schedule A-1 Report

The Committee received a \$3,500 contribution on 4/7/11, and failed to report it on a Schedule A-1, resulting in a civil penalty assessment of \$1,750. In addition, the Committee had previously been assessed a \$100 civil penalty (not appealed, stayed) for delinquently filing the June 2011 Quarterly Report. The total assessment is \$1,850.

Patricia Gira, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Gira states that the Committee Treasurer mistakenly reported a \$3.500 transfer out to the Orland Park United committee as a transfer in from that group. Ms. Gira says she loaned her Committee \$3,500 on 4/3/11, and the Committee then made a \$3,500 contribution to Orland Park United on 4/7/11. She says her Committee did not receive any contribution from the other group, and she adds that the Committee's Quarterly Report has been amended to show the correct information.

The amended Report does show the loan and subsequent transfer out as Ms. Gira describes. The Committee had also originally filed a Schedule A-1 on 4/4/11to report the loan from Ms. Gira. Therefore, no violation took place and I recommend the appeal be granted. If this recommendation is accepted by the Board, the stay would be returned to the earlier \$100 assessment. (As of 12/31/11, this Committee reported a funds available balance of \$958.01.)

Tom Newman - Hearing Officer

February 1, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440 Fax: 312/814-6485 EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011

ID# 17447

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Patricia Gira Charles A Binelli 11735 Greenfield Drive Orland Park, IL 60462

S A DIRCHI

Dear Citizens for Patricia Gira:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

Contributed By	Date of Contribution	Amount of Contribution	Date A-1 Received	<u>Davs</u> <u>Late</u>	<u>Fine</u> <u>Assessed</u>
Orland Park United	4/7/11	\$3500	*	n/a	\$1750

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$1750 for delinquently filing Schedule A-1 reports. This total *does not* reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$175, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (January 4). This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
April 1 through June 30, 2011	Quarterly	\$100
TOTAL AM	\$1875	

STATE BOARD OF JUSTIONS State of Illinois 11 CEC 22 AM 10: 48 County of Look BEFORE THE STATE BOARD OF ELECTIONS OF THE STATE OF ILLINOIS IN THE MATTER OF: ILLINOIS STATE BOARD OF ELECTIONS. Complainant Vs. CITIZERS for APPEAL AFFIDAVIT (Name of the Committee) Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are: Signed and Sworn to by: LORI ATISCHUR before me this Hat Day of

Notary Public

29

(Signature of Chairman/Treasurer)

Patricia A. Gira

11729 Greenfield Drive, Orland Park, Illinois 60467-7571 Phone 708-479-2554

December 15, 2011

Dear Members of the Board of Elections,

I am writing this note to explain why my campaign appeared to violate the Schedule A-1 filing requirement but in fact did not.

First let me say that my neighbor, Charles Binelli has been my treasurer since my campaign account was established, almost 9 years. I appreciate his efforts on my behalf, but he has many demands on his time, both personal and professional. He made some errors in recent reports which are the basis for the confusion. I have assumed responsibility for my filings and going forward will file these reports personally.

There were some mistakes in the quarterly reports filed by Mr Binelli this past year. These errors are apparently what triggered the appearance of a violation. I worked with Jason W. Meyer of the Division of Campaign Disclosure and with his support, which I greatly appreciate, these reports have been amended and accepted. A brief summary of the situation:

- 1. I loaned my campaign account, Citizens for Patricia Gira, \$3500 from my personal account.
- 2. Citizens for Patricia Gira made a contribution of \$3500 to the Orland Park United Party.
- 3. No contribution was made by Orland Park United to Citizens for Patricia Gira

I believe that the amended reports, which I submitted and that are now accepted by the Division of Campaign Disclosure, should clarify the issues, and make it clear that no violation took place. Now that I have taken control of the reporting function I will gladly be responsible for the information controlled within. Mr. Jason Meyer was extremely helpful to me and I know where to turn for assistance should I have questions in the future.

I hope this note explains what happened and I further hope you agree that no violation took place. Additionally, by taking over the reporting responsibility myself, I will be able to ensure reports are filed accurately and in a timely manner.

l appreciate your consideration of my appeal.

Sincerely,

Patricia A. Gira

STATE OF ILLINOIS COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

11 SQ 026

Friends of Steve Dove

V.

ID# 20304

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing the September 2011Quarterly Report

The Report was received by the Board on October 18, 2011, 1 day late, resulting in a civil penalty assessment of \$50. Additionally, the Committee had previously been assessed a \$50 civil penalty (not appealed, stayed) for delinquently filing a Schedule A-1 Report during the 1st quarter of 2011. The total assessment is \$100.

Stephan P. Antonacci, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Antonacci states that the Committee has encountered continual problems filing reports with the Board's IDIS electronic filing software. He says the program did not allow the Committee to file its Report on time. He says the errors were reported immediately to the Board, and once the problem was resolved, the Committee filed its Report.

A review of internal Board records shows this Committee did seek assistance for issues with the IDIS software. In order to be consistent with previous Board decisions where an electronic filing defense is raised, and since this Committee has not previously utilized such a defense, I recommend the appeal be granted. If this recommendation is accepted, the stay would be returned to the previous \$50 assessment. (As of 9/30/11, this Committee reported a funds available balance of \$23,498.95.)

Tom Newman – Hearing Officer

December 14, 2011

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011

ID# 20304

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends of Steve Dove Stephan P Antonacci 1 E Old State Capitol Plz Springfield, IL 62701

Dear Friends of Steve Dove:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contribution and Expenditures

Report Period:

July 1, 2011 through September 30, 2011

Filing Period:

October 3, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on October 18, 2011, 1 days late. As such, this committee has been assessed a fine of \$50.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal byJanuary 4 you forfeit the right to contest this assessment.

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
January 1 through March 31, 2011	Schedule A-1	\$50
TOTAL AM	\$100	

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward, Director, Campaign Disclosure Division

SS: ir

Enclosure(s): appeal packet

State of Illinois	STATE BOARD OF ELECTIONS
County of Sangamon)	11 DEC 13 PM 12: 13
	E BOARD OF ELECTIONS ATE OF ILLINOIS
IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,))
Complainant))
Vs.) Case No. 150020
Friends of Steve Dove	
20304 Respondent(s).)
APPEAL	. AFFIDAVIT
I, Stephan P. Antonacci , the Trea	asurer of the
(Name)	(Chairman/Treasurer)
Friends of Steve Dove	
(Name of	the Committee)
-	states that he/she represents that the said committee sment of a civil penalty in this matter, and that such
We have had continual and documented IT problems accessibility and the successful filing of our reports a to file our Quarterly Report on time due to IT errors a Elections upon discovery of this error. The report was	nd disclosures. The IDIS v2 program again did not allow us not was reported immediately to the State Board of
	4 1
Signed and Sworn to by: Signed and Sworn to by: Signed and Sworn to by: Day of	Saul
novemboli, 2011 Exphance Goelsel	(Signature of Chairman/Treasurer)
OFFICIAL SEAL	
Notary Public OFFICIAL SEAL STEPHANIE GOEBEL NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 10-9-2013	
800000000000000000000000000000000000000	33

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections Complainant

v.

11 SQ 147

Citizens for Chris Crawford

ID# 22593

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of the September 2011 Quarterly Report

The Report was received by the Board on October 24, 2011, 5 days late, resulting in a civil penalty assessment of \$125. Additionally, the Committee had previously been assessed a \$25 civil penalty (not appealed, stayed) for delinquent filing of the December 2009 Semi-Annual Report. The total assessment is \$150.

Chris Crawford, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Crawford states that he mailed the Report to the Board on October 13, utilizing a self-service postage meter to determine the appropriate postage to be paid. However, he says the envelope was later returned to him for insufficient postage, requiring him to re-send the Report and resulting in the late filing. He includes a copy of the envelope. showing a 10/13/11 postmark date and the insufficient postage marking.

Section 100.125 of the Board's Rules and Regulations states. "...if the envelope containing the report bears a postmark showing that the envelope was mailed at least 72 hours prior to the due date, the report shall be considered timely filed, regardless of when received in the office of the State Board of Elections." Although when it finally arrived, the Report showed a postmark of 10/22/11, after the filing deadline, I believe the Committee should be given credit for its initial attempt to send in the Report. The envelope containing the Report did also show the earlier 10/13/11 postmark. The Committee therefore made a good faith effort to timely file the Report and only failed to actually do so because of an erroneous reading from a self-service postage meter. I recommend the appeal be granted. (This Committee filed a Final Report on 10/24/11.)

Tom Newman – Hearing Officer

March 5, 2012

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601

312/814-6440 Fax: 312/814-6485



BOARD MEMBERS William M. McGuffage, Chairman Jesse R. Smart, Vice Chairman Harold D. Byers Bety J. Coffrin Ernest L. Gowen Judith C. Rice Bryan A. Schneider Charles W. Scholz

Rupert T. Borgsmiller December 5, 2011

Citizens for Chris Crawford ID# 22593 Chris Crawford, Kristin Crawford

123 E Coventry Ln Peoria, IL 61614-2103

Dear Citizens for Chris Crawford:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Ouarterly Report of Campaign Contribution and Expenditures

Report Period: Filing Period:

July 1, 2011 through September 30, 2011 October 3, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on October 24, 2011, 5 days late. As such, this committee has been assessed a fine of \$125.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, vou may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street. Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount	
July I through December 31, 2009	Semi-Annual	\$2	•
	UNT NOW DUE	\$15	0

Sincerely.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

SS: jr

Sharon Steward, Director, Campaign Disclosure Division

State of Illinois)			STATE BUATON	TITECTIONS
County of)			12 JAN - 4	AM 10: 22
BEF		BOARD OF ELECTION E OF ILLINOIS	IS	
IN THE MATTER OF;)		
ILLINOIS STATE BOARD O	F ELECTIONS,)		
Complainant)		
Vs. (1) Jord for Chr 2593 Respondent(s).	13 Caked) Case No. 1 5	Q 147	
	APPEAL A	AFFIDAVIT		
I, Christopher S. (Name)	asod, the	Chairman/Trea	isurer)	_ of the
litilen for	Cliric	(report to	23593)	
	(Name of th	e Committee)		
Committee, first being duly sv can offer a good reason or detreasons and defenses are:				
				
Signed and Sworn to by: Marsh J. Stoltz- before me this 3.1 Day of Aguary		(Signature of Chairm	an/Treasurer)	
Notary Public	OFFICIAL SE MARSHA J. ST NOTARY PUBLIC - STATE MY COMMISSION EXPI	OLTZ { OFILLINOIS }		

To: State Board of Elections

From: Chris Crawford, Chairman for Citizens for Chris Crawford

Re: Sworn Narrative in Support of Appeal

Please note the attached copy of the envelope which contained my initial disclosure. It contained a timely post mark of 10/13/11 seven days in advance of the due date of 10/20/11. A self-service postage meter advised me of the appropriate postage to be paid. I paid it. It was returned to me for insufficient postage.

I set up my committee in connection withy my candidacy for an unpaid position on our school board. I have no staff other than my wife. She and I are busy with two young children, our careers and community commitments. I trust the postage meter will be correct when determining proper bostage to be paid. I understand the reason I need more postage is because the report is to be returned in an odd sized envelope which requires additional postage. As a layperson, how am I to know that ? Again, I was led to believe by the meter that proper postage was paid.

The campaign disclosure rules have turned me off to public service. I am hardly some high rolling politician. The rules imposed seem more designed at raising revenue than preventing corruption, indeed, odd ball envelopes that only a postage person knows requires more postage, seems like intentional trickery to me.

I hope you will reconsider my appeal. Additional postage to me meant check out what the meter says. I did and paid the .84 to timely send the report to the office in Springfield. A \$125 fine imposed on an unpaid school board member seems awfully steep given the circumstances above.

Please consider my appeal. I ask that both this new fine be reversed and the stayed fine be reimplemented as stayed and that the amount owed show as zero.

Thank-vour, for your consideration.

Signed and sworn to by:

Marsher Stoltz

before me this **I** day of

MARSHA J. STOLTZ
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 4-4-2013

OFFICIAL SEAL

FROM (Refre)

23 6. Canty Dr.

17/9/9 72/20



REQUIRES ADDITIONAL POSTAGE

STATE BOARD OF ELECTIONS

PO Box 4187

Springfield, Illinois 62708-4187

Մակարիությունների հերարիությունների

FIRST CLASS MAIL

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. 11 SQ 198

Friends of Lisa Ciampoli Cmte ID: 23080 Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment For Delinquently Filing the September 2011 Quarterly Report

The Report was received November 3, 2011. 13 days late, resulting in an assessment of \$25. This is the Committee's first assessment.

Ronald Jedda, the Chairman and Treasurer of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Mr. Jedda stated the Report was actually sent in early but was inadvertently marked as the Quarterly Report for the period ending June 30, 2011. Once the Committee was notified the Report in question had not been received, the properly marked September 30th Report was filed.

I recommend the appeal be granted. This matter appears to be minor and clerical in nature. The incorrectly marked Report received by the Board on September 16, 2011, was reasonably interpreted by Board staff to be an amendment of the June 30th Quarterly Report. However, the fact the Report had not been marked as an amendment supports Mr. Jedda's assertion. Mr. Jedda confirmed in a follow-up phone conversation that he had intended to send the September 30th Report in early, as the Committee had no transactions to Report during the period. As of December 31, 2011, the Committee's reported eash balance was \$254.40.

John Levin – Hearing Officer February 22, 2012 COPY

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141

Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601

312/814-6440 Fax: 312/814-6485 STATE BOARD OF ELECTIONS
STATE OF ILLINOIS



EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011

ID# 23080

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends of Lisa Ciampoli Ronald Jedda 136 Kingsbury Ct Collinsville, IL 62234-4601

Dear Friends of Lisa Ciampoli:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Ouarterly Report of Campaign Contributions and Expenditures

Report Period:

July 1, 2011 through September 30, 2011

Filing Period:

October 3, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on November 3, 2011, 13 days late. As such, this committee has been assessed a fine of \$25.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore**, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward

Director, Campaign Disclosure Division

SS: jr

State of Illinois)	
County of Madison	STATE BOARD OF SUBSTIONS
BEFORE THE STATE	11 DEC 29 AM 10: 55 BOARD OF ELECTIONS
OF THE STA	TE OF ILLINOIS
IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant))
Vs.) Case No. 1 50 198
)
Foiends of Lisa Ciampeli' Respondent(s).)
	, AFFIDAVIT
I. Ronald Jedda, the	(Chairman/Treasurer) of the
(Name of t	the Committee)
	states that he/she represents that the said committee sment of a civil penalty in this matter, and that such
Signed and Sworn to by: Region of Day of Day of Control of Contro	Signature of Chairman/Treasurer)
THE TOTAL ORAL	544 .

STATE BUARRIUM NOTIFICIANS

I am requesting an appeal of the assessed civil penalty for delinquent filing of the Friends of Lisa Ciampoli campaign committee. The forms were sent in on time, but I inadvertently used the dates from the previous filing quarter. There had been no activity during the quarter. I admit this was an error on my part, but it was not intentional or not due to untimely filing of the reports.

Please feet free to contact me.

Ronald Jedda, Treasurer

Friends of Lisa Ciampoli.

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. 11 SQ 236

Dove for Senate

ID# 23836

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing the September 2011Quarterly Report

The Report was received by the Board on October 18, 2011, 1 day late, resulting in a civil penalty assessment of \$50.

Steven Dove, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Dove states that the Committee has encountered continual problems filing reports with the Board's IDIS electronic filing software. He says the program did not allow the Committee to file its Report on time. He says the errors were reported immediately to the Board, and once the problem was resolved, the Committee filed its Report,

A review of internal Board records shows this Committee did seek assistance for issues with the IDIS software. In order to be consistent with previous Board decisions where an electronic filing defense is raised, and since this Committee has not previously utilized such a defense, I recommend the appeal be granted. (As of 9/30/11, this Committee reported a funds available balance of \$67.910.)

Tom Newman – Hearing Officer December 14, 2011

43

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440 Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011 BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

ID# 23836

Dove for Senate PO Box 5444

Springfield, IL 62701-5444

Dear Dove for Senate:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contributions and Expenditures

Report Period:

July 1, 2011 through September 30, 2011

Filing Period:

October 3, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on October 18, 2011, 1 days late. As such, this committee has been assessed a fine of \$50.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore**, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

A .

Sincerely,

Sharon Steward

Director, Campaign Disclosure Division

SS: jr

STATE BOARD OF ELECTIONS 11 DEC 13 PH 12: 13	
TATE BOARD OF ELECTIONS E STATE OF ILLINOIS	
)) NS,)	
)	
) Case No. 11 SQ 236	
PEAL AFFIDAVIT	
(Chairman/Treasurer) of the	•.
ne of the Committee)	
s and states that he/she represents that the said commit assessment of a civil penalty in this matter, and that sublems with the IDIS v2 system when it comes to network orts and disclosures. The IDIS v2 program again did not allow rors and was reported immediately to the State Board of ort was filed as soon as the IT error was resolved.	uch
	TATE BOARD OF ELECTIONS STATE OF ILLINOIS Case No. 11 SQ 23L Case No. 11 SQ 23L Case No. 11 SQ 23L Chairman of the (Chairman/Treasurer) The of the Committee) The and states that he/she represents that the said commit assessment of a civil penalty in this matter, and that subtems with the IDIS v2 system when it comes to network

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

ν.

11 MA 045

Bureau County Republican Central Committee

ID# 331

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing the December 2010 Semi-Annual Report and the June 2011 Quarterly Report

The Semi-Annual Report was received by the Board on June 24, 2011. 108 days late, resulting in a civil penalty assessment of \$5,000. The Quarterly Report was received by the Board on August 4, 2011, 14 days late, resulting in a civil penalty assessment of \$350. Additionally, the Committee had previously been assessed a \$250 civil penalty (not appealed, stayed) for delinquently filing the June 2010 Semi-Annual Report, and a \$150 civil penalty (appealed, granted) for delinquently filing the December 2009 Semi-Annual Report. The total assessment is \$5,600.

Michael Wendt, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Wendt states that the IDIS electronic filing software caused the Committee's computer to crash. He says reinstalling the software required the Committee to hire a technical support person, who then had to spend over an hour on the phone with the Board's IT staff in order to fix the problem.

Although the Committee apparently had some difficulty using or installing the IDIS software, I am unaware of any circumstance in which the software itself could have caused the Committee's computer to crash. Additionally, Mr. Wendt's claim fails to explain the lateness of the Committee's Report filings, particularly in the case of the Semi-Annual Report. Finally, since this Committee has previously utilized an electronic filing defense, I recommend the appeal be denied. If this recommendation is accepted by the Board, the stay would be lifted from the previous \$250 assessment, and the \$5,600 civil penalty will be due and owing. (As of 9/30/11, this Committee reported a funds available balance of \$48.98.)

Tom Newman – Hearing Officer

November 8, 2011

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141

Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601

312/814-6440 Fax: 312/814-6485



BOARD MEMBERS Bryan A. Schneider, Chairman Wanda L. Rednour, Vice Chairman Patrick A. Brady John R. Keith William M. McGuffage Albert S. Porter Jesse R. Smart Robert J. Walters

Rupert T. Borgsmiller August 30, 2011

Bureau County Republican Central Committee ID# 331 Michael Wendt 807 S Euclid Ave Princeton, IL 61356

Dear Bureau County Republican Central Committee:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Semiannual Report of Campaign Contribution and Expenditures

Report Period:

July 1, 2010 through December 31, 2010

Filing Period:

January 3, 2011 through January 20, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on June 24, 2011. 108 days late. As such, this committee has been assessed a fine of \$5000.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contribution and Expenditures

Report Period:

April 1, 2011 through June 30, 2011

Filing Period:

July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on August 4, 2011, 14day(s) late. As such, this committee has been assessed a fine of \$1050.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. You will be notified of this payment due date in the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
January 1 through June 30, 2010	Semi-Annual	\$250
TOTAL AMO	OUNT NOW DUE	\$6300

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward, Director, Campaign Disclosure Division

SS: jr

SEAST REAL PROPERTY OF TRANS

State of Illinois)	11 98T 12 PM 2: 56
County of)	
	BOARD OF ELECTIONS E OF ILLINOIS
IN THE MATTER OF;)
ILLENOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs. 3.C.R.C.C. Respondent(s).) Case No. 11 m A 0 45))
APPEAL A	FFIDAVIT
1. M. L. WENDT, the Name) BUREAU COUNTY REPUBL	(Chairman/Treasurer) (Chairman/Treasurer) (Chairman/Treasurer)
(Name of the	
Committee, first being duly sworn, deposes and st can offer a good reason or defense to the assessm reasons and defenses are:	
THE IDIS PROGERE CAUSEN RE-INSTALLATION REGIONA	2 Hiring GS A TECH.
· · · · · · · · · · · · · · · · · · ·	Time on the PHONE WITH
former of prections toch	During the process
Signed and Sworn to by:	
before me this 13 Day of October 2011 Notary Public OFFICIAL SE KATHY BUTLI	
NOTARY PUBLIC, STATE MY COMMISSION EXPIR	ES 7/29/2015 {

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

ν.

11 AJ 019

Illinois Vendors PAC

Cmte ID: 399

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment For Delinquently Filing Schedule A-1 Reports

The Reports were received on July 13, 2011, in connection with the following contributions:

Illinois Automatic Merchandising Council	 5/14/2011	 \$3255
Chicago Vending Supply	 5/31/2011	 \$2650
AH Management Group	 6/30/2011	 \$1000

The Receipts were reported 36, 25, and 3 days late, respectively, resulting in a fine of \$3453. The Committee has not been previously assessed.

Vince Gumma, the Treasurer of the Committee, filed a Waiver of Appearance and Appeal Affidavit in this matter.

On the Affidavit, Mr. Gumma said the Respondent is a small Committee, and all of its officers are volunteers. He stated the A-1 filings were delinquent because the Committee did not realize a change in the Act effective January 1, 2011, mandated year-round A-1 filing for receipts of \$1000 or more. Mr. Gumma also noted the Committee's lack of prior assessments and said the assessment would represent a hardship for the Committee.

While I sympathize with the Committee, I recommend the appeal be denied for lack of an adequate defense. Board staff notified Committees of changes in the Act on multiple occasions. Additionally, the Committee's past compliance record is recognized in the assessment calculation. If the Board accepts this recommendation, a total of \$346 (10% of the above-referenced fine amount) would be due and owing. As of June 30, 2011, the Committee's reported balance was \$5,047.08.

John Levin – Hearing Officer October 12, 2011

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

Fax: 312/814-6485

EXECUTIVE DIRECTOR Rupert T. Borgsmiller

BOARD MEMBERS William M. McGuffage, Chairman Jesse R. Smart, Vice Chairman Harold D. Byers Bety J. Coffrin Ernest L. Gowen Judith C. Rice Bryan A. Schneider Charles W. Scholz

August 30, 2011

Illinois Vendors PAC PO Box 1874 Arlington Heights, IL 60006-1874 ID# 399

Dear Illinois Vendors PAC:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

Contributed By	Date of Contribution	Amount of Contribution	Date A-1 Received	<u>Days</u> <u>Late</u>	<u>Fine</u> <u>Assessed</u>
AH Management Group	6/30/2011	\$1000	7/13/2011	3	\$500
Chicago Vendor Supply	5/31/2011	\$2650	7/13/2011	25	\$1325
1L Automatic Merchandising Council	5/14/2011	\$3255	7/13/2011	36	\$3255

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$3453 for delinquently filing Schedule A-1 reports. This total does not reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$346, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (September 29). This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

State of Illinois)	granish is the control of the contro
County of Cook)	11 SEP 20 AM 11:07
BEFORE THE STATE BOOF THE STATE	OARD OF ELECTIONS
IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,))
Complainant)))
Vs. 10#399) Case No. 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Illinois Vendors PAC))
Respondent(s).)
APPEAL A)	FFIDAVIT
I, Vince Gumma , the Treasur	
(Name)	(Chairman/Treasurer) of the
Illinois Vendors PAC (IVPAC)	
(Name of the	Committee)
Committee, first being duly sworn, deposes and sta can offer a good reason or defense to the assessme reasons and defenses are:	
The Illinois Vendors PAC (IVPAC) is a small political com Chairman, Vice-Chairman and Treasurer. None of these difficult for us to keep up with the quickly changing election period we inadvertently omitted filing Schedule A-1 for the requirements effective January 1, 2011 to file A-1 scheducycle.	e individuals serve with any compensation. This makes it on law requirements in Illinois. During the last filing ree (3) contributions. We were unaware of the new
IVPAC has an outstanding record of compliance with Illin hardship for our committee as we have a very small oper compliance measures to insure this type of error does not be a compliance measures.	ating balance. We will undertake strong internal
Signed and Sworn to by: VINCE COUMMA before me this 6 Day of August, 2011 Tames 72 Medicular Notary Public	(Signature of Chairman/Treasurer)
OFFICIAL SEAL JAMES R MCALLISTE NOTARY PUBLIC - STATE OF MY COMMISSION EXPIRES:0	

STATE OF ILLINOIS COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

Vs.

11 SQ 007

Illinois Vendors PAC 399

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing
The September 2011 Quarterly Report

The September 2011 Quarterly Report was received by the Board on 11/7/11, 15 days late, resulting in a civil penalty assessment of \$375. Additionally, the Committee has appealed three Schedule A-1 violations that took place during the 2nd Quarter of 2011. The Schedule A-1 violations will be heard by the Board at its March 19th meeting. The assessment for this fine only is for \$375.

The Respondent was represented by attorney Josh Peterson at the February 15th appeal hearing. Also in attendance was the chairman of the Committee, Dave Campbell and Liam Hartnett.

The Committee's secretary, Brian Allen, became ill and suddenly passed away on October 6, 2011 from a bleeding ulcer. The Respondent indicated that he believed this Committee had been in existence since the 60s and to his knowledge they have never had a late Annual, Semi-Annual, or Quarterly Report prior to this report being late. Mr. Allen had been preparing the reports for the Committee for the last 10 to 15 years and he has been the only constant within the organization while the other officers change every 2 years. Unfortunately no one else was aware of the missed filing until after his death. And they indicated that in no way were they trying to avoid their filing requirements. The report has been filed and the Committee plans on filing all future reports promptly.

It is unfortunate that Mr. Allen became ill and suddenly passed. My heart-felt sympathies go out to his friends and family. However, the political committee still had a responsibility to file the report in a timely manner. The treasurer of a political committee, not the secretary, is responsible for keeping the records and filing the reports for a committee. I recommend that the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board, the total assessment for this fine will be \$375, whether or not this penalty will be stayed will depend upon the outcome of the appeals for the three Schedule A-1 violations. (As of 12/31/11, this Committee reported a funds available balance of \$1,417.08.)

Andy Nauman – Hearing Officer

February 27, 2012

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

Fax: 312/814-6485



BOARD MEMBERS William M. McGuffage, Chairman Jesse R. Smart, Vice Chairman Harold D. Byers Bety J. Coffrin Ernest L. Gowen Judith C. Rice Bryan A. Schneider Charles W. Scholz

Illinois Vendors PAC Dave Campbell 70 N Garden Ave Roselle, IL 60172

ID# 399

Dear Illinois Vendors PAC:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contribution and Expenditures

Report Period:

July 1, 2011 through September 30, 2011

Filing Period:

October 3, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on November 7, 2011, 15 days late. As such, this committee has been assessed a fine of \$375.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections. Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
April 1 through March 31, 2011	Schedule A-1	\$3453
TOTAL AMO	OUNT NOW DUE	\$3828

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

SS: ir

Enclosure(s): appeal packet

Sharon Steward, Director, Campaign Disclosure Division

Sincerely,

State of Illinois)	STATE BOARD OF ELECTIONS
County of https://	11 DEC 15 AM 10: 39
	BOARD OF ELECTIONS TE OF ILLINOIS
IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,))
Complainant))
Vs. Illenois Vendors PAC) Case No. 1/80007
Ellineis Vendors PAC Respondent(s).	,)
APPEAL	AFFIDAVIT
1. Dave Cimpbell the (Name)	Chairman of the
Illinois Vendors PAC	
(Name of the	he Committee)
	states that he/she represents that the said committee ment of a civil penalty in this matter, and that such
	ame ill and suddenly passed away
	was always prompt with our Filings
_	infortunatly we were unusure
of any missed filings until	after his death. The matter has
been taken care of and father	Filings will be prompt and on time
Signed and Sworn to by: DAV. A. CAMPBELL before me this 13th Day of December 2011 manuary Ramas	(Signature of Chairman/Treasurer)
Notary Public	
OFFICIAL SEAL MAUREEN T. BARNES Notary Public - State of Illinois My Commission Expires Apr 09, 2013	55

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

V.

Illinois AFL-CIO COPE ID# 405

Respondent

REPORT OF HEARING OFFICER

11 MA 089

Appeal of Civil Penalty Assessment for Delinquent Filing of Schedule A-1 Reports

The Committee received a \$7,500 contribution on 7/29/11 and reported it on a Schedule A-1 received by the Board on 10/4/11, 41 days late, resulting in a civil penalty assessment of \$3,750. The Committee also received a \$2,500 contribution on 10/14/11 and reported it on a Schedule A-1 received by the Board on 10/24/11, 1 day late, resulting in a civil penalty assessment of \$1,250. The total assessment is \$5,000.

Timothy Drea, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Drea states that the failure to timely file the first A-1 was a result of a bookkeeping error, in which the deposit was automatically transferred into the Committee's bank account but was not posted in the Committee's accounting program. He says the A-1 was filed as soon as the mistake was discovered. In regards to the second A-1, Mr. Drea says the Committee's bookkeeper was absent at the time of the deposit, so it was not reported until the bookkeeper returned. He adds that new procedures have been put in place to prevent either mistake from happening again in the future.

I recommend the appeal for both A-1 filings be denied for lack of an adequate defense. However, since there is no indication either violation was anything other than inadvertent and unintentional, I recommend the penalties be reduced as follows: since the first contribution was received in the third quarter of 2011 and since this was the first A-1 violation for the Committee, I recommend the penalty be reduced to 10% of the original assessment, or \$375; since the second contribution was received in the fourth quarter of 2011 and was therefore the second A-1 violation for the Committee, 1 recommend the penalty be reduced to 50% of the original assessment, or \$625. If these recommendations are accepted by the Board, the total assessment of \$1,000 will be due and owing. (As of 12/31/11, this Committee reported a funds available balance of \$100,435.89,)

Tom Newman – Hearing Officer

1020 South Spring Street Springfield, Illinois 62704 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

Fax: 312/814-6485



ID# 405

BOARD MEMBERS
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Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Illinois AFL-CIO COPE Michael Carrigan, Timothy E. Drea 534 S 2nd St, Ste 200 Springfield, IL 62701-1705

Dear Illinois AFL-CIO COPE:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act during the third quarter:

Contributed By	<u>Date of</u> <u>Contribution</u>	Amount of Contribution	Date A-1 Received	<u>Days</u> <u>Late</u>	<u>Fine</u> <u>Assessed</u>
Illinois AFL-CIO	7/29/11	\$750	10/4/11	41	\$3750

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$3750 for delinquently filing Schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(c) of the Election Code, the Board may impose fines for violations not to exceed 50% of the total amount of the contribution(s) that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$375, (10% of the total fine amount reflected above) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

In addition, this committee also failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 as required by the Illinois Campaign Disclosure Act during the fourth quarter:

Contributed By	<u>Date of</u>	Amount of	<u>Date A-1</u>	<u>Days</u>	<u>Fine</u>
	<u>Contribution</u>	Contribution	Received	<u>Late</u>	Assessed
Entrust Capital	10/14/11	\$2500	10/24/11	1	\$1250

Your committee is subject to a fine of \$1250 for delinquently filing Schedule A-1 reports.

Since this is the second delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$625, (50% of the total fine amount reflected above) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

The total for all assessments in this letter is \$1000.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed by January 4. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704.

If you have any questions regarding the appeal process, please call Jenny Ronimous at 217-782-1543.

Sharon Steward

Director, Campaign Disclosure Division

SS: jr

State of Illin	ois)	STATE	BOACED OF ELECTIONS
County of	Sangamon)	11	DEC 23 ANII: 26
	BEF		BOARD OF ELECTION E OF ILLINOIS	ſS
IN THE MA	TTER OF;)	
ILLINOIS S	TATE BOARD (OF ELECTIONS,)	
	Complainant)	• 0
Vs.) Case No	MA 089
111ino 465	Respondent(s).)	
		APPEAL A	AFFIDAVIT	
Ι,	Timothy E. Drea (Name)	, the	Treasure (Chairman/Tre	
		Illinois AFL	-CIO COPE	
		(Name of th	e Committee)	
	ood reason or de			nts that the said committee this matter, and that such
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		<u> </u>		
Signed and S	worn to by: & Drea			
before me thi	s <u>کی</u> Day of		(Signature of Chair	mon/Transurar)
Circles S	Solvon		(Signature of Chair	nan reasurer)
Notary Public				
	← APPLOID	>>>> >>>		
	NOTARY PUBLIC, MY COMMISSION	JOHNSON STATE OF ILLINOIS 2 EXPIRES 4-17-2012	60	

The first failure to timely file an A-1 was due to an error by our bookkeeper. This deposit was an automatic transfer made by our bank and the bookkeeper inadvertently did not post it to our accounting program. As soon as this mistake was discovered the A-1 was filed. Changes have been made to the committees accounting procedures to make certain that this doesn't happen in the future.

The second failure to timely file an A-1 was due to the fact that the bookkeeper was absent at the time of the deposit. Internal accounting controls dictates that an employee other than the bookkeeper makes the deposits. The deposit was made by an employee who was unaware the bookkeeper would be absent and that the A-1 would need to be filed before she returned. The A-1 was filed as soon as the bookkeeper returned. To prevent this from reoccurring, we have set in a policy to ensure both employees communicate before making the deposit.

STATE OF ILLINOIS COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

Vs.

11 MQ 037

ITW State PAC 488

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing
The March 2011 Quarterly Report

The Report was received by the Board on August 1, 2011, 74 days late, resulting in a civil penalty assessment of \$3,700. Additionally, the Committee had previously been assessed a \$9,000 civil penalty (not appealed, reduced, expired) for failing to file a Schedule A-1 for the 2002 General Election, and a \$275 civil penalty (not appealed, stayed) for delinquently filing the June 2011 Quarterly Report. The total assessment is \$3,925.

Brock Wanless, the treasurer appeared at the February 15 appeal hearing.

The person who was internally responsible for filing the reports for the Committee was terminated in February of 2011. The ITW staff then in March reviewed the Illinois Election Code and made an internal interpretation that since the Committee had not raised or spent any funds since June of 2009 and they had a balance of less than \$12 that they would be considered finactive and would be exempt from filing requirements. The Committee received a notice in mid July indicating that they had failed to file the March Quarterly Report and the Committee realized their interpretation was not correct and the March and June Quarterly Reports were immediately filed. The Committee then received a notice and a Final Order indicating that the June 2011 Quarterly Report was delinquent and that the Committee was assessed a \$275 which was stayed. Subsequently the Committee received a notice in December of 2011 indicating that the \$275 civil penalty had been lifted and the Committee was now being assessed for a second violation for the March 2011 Quarterly Report that was filed on the same day as the June Quarterly Report. The Committee requests that the 1st and 2st Quarterly Reports of 2011 be treated together as one incident constituting a first time violation and the civil penalty assessed be stayed, or alternatively reduced. Mr. Wanless indicated that the Committee simply mis-interpreted the Election Code and that their actions were not in any way willful.

The Committee filed the March and June 2011 Quarterly Reports on the same day. However the June 2011 Quarterly Report was assessed prior to the March 2011 Quarterly Report. The Committee did not appeal the fine for the June 2011 Report and was assessed a \$275 civil penalty as a first violation, which was stayed. It is the opinion of the hearing officer since the reports were filed on the same day that the fines should be recalculated to reflect the March 2011 Quarterly Report as a first violation and the June 2011 Quarterly Report as a second violation as per Section 145.425(i). Section 145.425(i) says For the purpose of this Section, second and subsequent volutions are deemed to occur with reference to the time the first offense event occurs, not when a hearing if any is required, concerning the first offense event is held. The March 2011 Quarterly report was filed 74 days late which would equate to a \$1,850 penalty and the June 2011 Quarterly report was filed 11 days late which would equate to a \$550 penalty. The

Committee believed that since they did not have any financial transactions that they would have been considered "inactive" and they would not have been required to file disclosure reports. This interpretation was from their review of the Illinois Election Code. The hearing officer believes the Committee should have consulted the State Board of Elections prior to determining that they were not required to file and they would have been informed that they had to continue filing. However, they did not consult with the State Board of Elections and ultimately it is the responsibility of the Committee treasurer to know the reporting requirements. In addition, report notifications were sent to the committee address on 2/23/11 and 5/26/11 advising the Committee of its obligation to file its quarterly reports. I understand that the Committee also had some internal turnover with the person who was filing the reports, but that is an internal committee matter and not the responsibility of the Board. I therefore recommend the appeal be denied for lack of an adequate defense. In relation to the Committee's request that the two violations be treated together as once incident constituting a first time violation and that the civil penalty assessed be stayed or reduced I recommend the Board consider these two separate filings as separate violations. If these recommendations are accepted by the Board the total amount of \$2,400 will be due and owing. (As of 12/3 1/11, this Committee reported a funds available balance of \$11.93.)

Andy Nauman – Hearing Officer

February 28, 2012

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

Fax: 312/814-6485



William M. McGuffage, Chairman Jesse R. Smart, Vice Chairman Harold D. Byers Bety J. Coffrin Ernest L. Gowen Judith C. Rice Bryan A. Schneider Charles W. Scholz

BOARD MEMBERS

EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011

ITW State PAC ID# 488
Russell M Flaum

426 Farrington Dr Lincolnshire, IL 60069

Dear ITW State PAC:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contribution and Expenditures

Report Period:

January 1, 2011 through March 31, 2011

Filing Period:

April 1, 2011 through April 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on August 1, 2011, 74 days late. As such, this committee has been assessed a fine of \$3700.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4 you forfeit the right to contest this assessment.

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount	
April 1 through June 30, 2011	Quarterly Report	\$275	
TOTAL AM	\$3925		

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward, Director, Campaign Disclosure Division

SS: ir

STATE	BOARD	ŊΕ		CT	ONS
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State of Illinois	STATE BUARD OF ELECTION
)	12 JAN -5 AM II: 42
County of Cook)	
	BOARD OF ELECTIONS E OF ILLINOIS
IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.) Case No. 11 MQ 037
ITW State PAC)
488 Respondent(s).)
APPEAL A	AFFIDAVIT
J. Brock A. Wanless the Trease	urer of the
(Name)	(Chairman/Treasurer)
ITW State PAC	
(Name of the	e Committee)
can offer a good reason or defense to the assessment reasons and defenses are: ITW State PAC stipulates it failed to timely file Quarterly for the 1st Quarter (74 days late) and 2nd Quarter (11 of these two late filings constitute inadvertent, or at worst discretion to stay or reduce the penalty rendered, pursue	days late) of 2011. The reasons and relevant factors for negligent violations and as such, the Board has the lant to Sections 125.425(d)(4) and 125.425(h).
Therefore, I request the Board consider these two late first-time violation and as such, pursuant to Section 125 as no subsequent violations of Article 9 occur.	5.425(h), that any penalties rendered be stayed so long
The facts and circumstances relevant to this matter are affidavit. I respectfully request due consideration of the request to appear before a Hearing Officer, pursuant to Board or Hearing Officer.	outlined in a separate addendum attached to this appeal circumstances and facts represented therein and further Section 125.425(k) at a date and time specified by the
Signed and Sworn to by:	
before me this 03 Day of	
James 2011 2012 CAD	(Signature of Chairman/Treasurer)
Notary Public	
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KEABERLY A DUFFEY	

APPEAL AFFIDAVIT ADDENDUM

Stipulating the ITW State PAC did not timely file Quarterly Reports of Campaign Contribution and Expenditures for the 1st Quarter (74 days late) and 2nd Quarter (11 days late) of 2011, the following facts and circumstances that resulted in these late filings are offered for your consideration:

- In February, 2011 the individual responsible internally for the filing of the ITW State PAC was terminated. There was no transition period or communication subsequent to this individual's termination regarding the ITW State PAC, including responsibility for its quarterly filings.
- A question of law arose in March, 2011 regarding the necessity to continue filing quarterly reports for the ITW State PAC due to its inactivity the previous election cycle and foreseeable inactivity. ITW staff reviewed the Illinois Election Code, specifically sections 10 ILCS 5/9 -1.8, 5/9-5, and 5/9-10. Based on an interpretation of 10 ILCS 5/9-1.8(d) that defines "political action committee" for purposes of complying with the Illinois Election Code, it was determined that because the ITW State PAC had not made any contributions to candidates, nor collected any receipts for that matter, in the preceding 12 months, and because the ITW State PAC was considered "inactive." that the committee was exempt from filing. In fact, the ITW State PAC has carried a meager balance of less than \$12.00 for over two years.
- It was unclear based on the reading and interpretation of the statute at that time whether the ITW State PAC had to file separate documentation to be considered "inactive" for purposes of the filing. 10 ILCS 5/9-5 references both political committees that are dissolved or considered "inactive," and includes phrasing the can be reasonably interpreted to mean political committees that do not receive contributions nor distribute campaign contributions are "inactive," given the statutory construction speaks primarily to formal dissolution. Further, Section 100.70 of the Board of Election rules is plainly clear that only active political committees are subject to the filing deadline requirements, hence adding further confusion to whether the ITW State PAC was required to file. In hindsight, an inquiry should have been posed directly to the Board of Elections staff for clarification on this point.
- In mid-July, the ITW State PAC was first formally notified by the Illinois Board of Elections that the committee was required to file a 1st Quarter report. Upon notification and a more careful reading of Illinois Election law, it was determined the decision not to file was made in error and based on a negligent interpretation of filing requirements placed on "any" political action committee that had previously reached the monetary threshold triggering these same requirements.
- As a result of this first notification, the ITW State PAC simultaneously paper-filed on August 1, 2011 both its 1st Quarter and 2nd Quarter reports, and again electronically, as

- required, on August 22, 2011. At this time, Mr. Brock A. Wanless was also formally designated as Treasurer of the ITW State PAC.
- On August 30th, the ITW State PAC received notice that a fine in the amount of \$275 for the late 2nd Quarter filing was levied and stayed, pending additional and subsequent violations of Article 9 of the Election Code. The ITW State PAC further received a Final Order dated October 19, 2011 from the State Board of Elections confirming the civil penalty and its stay. This determination was not appealed.
- In early December, the ITW State PAC received an additional notice of a violation pertaining to the 1st Quarter delinquent filing whereby the stay of the \$275 civil penalty levied two months prior for the 2nd Quarter delinquent filing was lifted and an additional \$3700 civil penalty was being assessed due to the late 1st Quarter filing. The notice of violation indicated that the 1st Quarter delinquent filing was considered a "subsequent violation" under Article 9 of the Election Code, despite both the 1st Quarter and 2nd Quarter filings being filed simultaneously in mid-July.
- In summation, I request that in light of the facts and circumstances surrounding this incident that the delinquent filings for the 1st and 2nd Quarter of 2011 be treated together as one incident constituting a first-time violation of Article 9 and that the civil penalty assessed be stayed, or alternatively, reduced. To reiterate, it's notable that the ITW State PAC has not received contributions nor made contributions for over two years (and has no plans to do so this election cycle), that is has carried a balance of less than \$12.00 for over two years, that upon discovering its negligent error filed both its 1st and 2nd Quarter fillings immediately and simultaneously, and has filed timely all subsequent filings for the 3rd and 4th Quarter of 2011.

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v.

11 SQ 014

Citizens for Skoien State Committee

ID# 1681

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of the September 2011 Quarterly Report

The Report was received by the Board on November 4, 2011, 14 days late, resulting in a civil penalty assessment of \$700. In addition, the Committee had previously been assessed a \$150 civil penalty (not appealed, paid) for delinquently filing the June 2011 Quarterly Report, and a \$25 civil penalty (not appealed, paid) for delinquently filing the December 2010 Semi-Annual Report. The total assessment is \$700.

Douglas Conte. the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit. Mr. Conte states that he was distracted by a business failure and missed filing the Report on time. He points out that the Committee had very little activity, and as a result filed a Final Report in November of 2011.

I recommend the appeal be denied for lack of an adequate defense. However, since the Committee has filed a Final Report, I further recommend that should the Committee remain dissolved for a period of two years following the Board order imposing the fine, the fine be abated. (As of 12/31/11, this Committee reported a funds available balance of \$0.)

Tom Newman – Hearing Officer

February 2, 2012

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141

Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440 Fax: 312/814-6485 EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011 BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Skoien State Committee 511 Fairway Ln Palatine, IL 60067-4345 ID# 1681

Dear Citizens for Skoien State Committee:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contribution and Expenditures

Report Period:

July 1, 2011 through September 30, 2011

Filing Period:

October 3, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on November 4, 2011, 14 days late. As such, this committee has been assessed a fine of \$700.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order (January 4). You will be notified of this payment due date in the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Atm: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward

Director, Campaign Disclosure Division

SS: jr

MY COMMISSION EXPIRES:10/07/13

70

December 21, 2011

Douglas Conte 16B Coolidge Ct. Streamwood, IL 60107

Ms. Sharon Steward Director, Campaign Disclosure Unit State Board of Elections 1020 S. Spring Street Springfield, IL 62708

Dear Ms. Steward:

This letter is in response to your letter of 12/5/2011 to Citizens For Skoien State Committee (ID# 1681) assessing a fine for late filing. I am appealing this fine and requesting it be cancelled as Citizens For Skoien is no longer an active committee. I understand I have been remiss in the past two quarter's filings but I have been distracted with a business failure. I would like to point out this committee has had very little activity in the recent past and you are assessing a seven hundred dollar fine on a committee that started its last quarter with just over \$43.00 in the bank. It became clear to Mr. Skoien and myself that we were not paying the attention we should to this matter so we closed the committee. In doing so Mr. Skoien forgave thousands of dollars in personal loans to this committee while receiving nearly nothing from it.

So please, in the interest of fairness, cancel your fine and let Citizens For Skoien pass away quietly. If you require any other information from me, please contact me at my address or phone me at (639) 736-9410.

Sincercly,

Douglas Conte

Former Treasurer, Citizens For Skoien

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

V.

11 SQ 025

Citizens for Tom Bennington Cmte ID: 7703

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment For Delinquently Filing the September 2011 Quarterly Report

The Report was received October 20, 2011. 3 days late, resulting in a fine of \$75. The Committee was previously fined \$175 for delinquently filing the December 2010 Semi-Annual Report.

Tracy Bennington, the Treasurer of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Ms. Bennington indicated the Committee has had little recent activity and said the new deadlines prompted by a change to quarterly reporting in 2011 led to the inadvertent delinquent filing of the Report.

I recommend the appeal be denied for lack of an adequate defense. If the Board accepts this recommendation, the stay on the \$175 fine for the previous delinquent filing would be lifted, and a total of \$250 would be due and owing. As of December 31, 2011, the Committee reported cash on hand of \$637.12.

John Levin – Hearing Officer

March 1, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440 Fax: 312/814-6485



BOARD MEMBERS
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Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Tom Bennington Tracy Bennington, Thomas Bennington Jr 4732 Forest Downers Grove, IL 60515

Dear Citizens for Tom Bennington:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contribution and Expenditures

Report Period: Filing Period:

July 1, 2011 through September 30, 2011 October 3, 2011 through October 17, 2011

ID# 7703

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on October 20, 2011, 3 days late. As such, this committee has been assessed a fine of \$75.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount	
	Semi-Annual		\$175
TOTAL AMOUNT NOW DUE			\$250

Sincerely.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

SS: jr

Enclosure(s): appeal packet

Sharon Steward, Director, Campaign Disclosure Division

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State of Illinois)	STATE SUPRE OF ELFORIGHS
County of De Page)	12 JAH - 3 AM 11:52
BEFORE THE STATE BOAR OF THE STATE OF	
IN THE MATTER OF;	
ILLINOIS STATE BOARD OF ELECTIONS,)	
Complainant)	
Vs.	Case No. 1150025
7703 Respondent(s).	
APPEAL AFFID	AVIT
1, Tracy F. Boming on the The	(Chairman/Treasurer) of the
Citingns for Tom Bond (Name of the Com	mittee)
Committee, first being duly sworn, deposes and states the can offer a good reason or defense to the assessment of reasons and defenses are:	
Committee is inactive	unchanged chaddiness was vertently
missed the deadline in	was previously
the 20th of the mont	h following the
reporting-poriod.	
Signed and Sworn to by: TRACY BENNINGTON TRACY BENNINGTON	J. Bennington
before me this 30 the Day of	gnature of Chairman/Treasurer)
Notary Public	
"OFFICIAL SEAL" Rocky Notary Public, My Commission T4	is %

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

Ϊ.

11 AS 015

Friends of Rick Faccin
Crite ID: 10108
Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment For Delinquently Filing a Schedule A-1 Report

The Report was received on August 16, 2011, pursuant to a \$3000 contribution dated July 21, 2011. The Report was received 13 days late, resulting in a fine of \$1500. This is the first assessment for the Committee.

Rick Faccin, the Candidate and Chairman of the Committee, appeared for the hearing at the Board's Springfield office, 2329 S. MacAnthur Blvd, at 11:30am on February 21, 2012.

Mr. Faccin testified he was unaward of the change in the Campaign Finance Act, effective January 2, 2011, requiring the filing of A-1 Reports year round for receipts of \$1000 or more. Prior to this matter, he was operating under the impression A-1s were still required only for receipts in excess of \$500 received within 30 days of an election. He noted the Committee, which was created in 1994, had not previously been fined and testified the oversight was unintentional and provided no advantage to his campaign, as he was not on the ballot in 2011.

While the committee's past record of compliance and the circumstances surrounding the late filing support Mr. Faccin's testimony. I recommend the appeal be denied for lack of an adequate defense. Since this is the Committee's first delinquent Schedule A-1 filing, the civil penalty is automatically reduced to 10% of the above fine. If the Board accepts this recommendation, the assessment would be 5150 and would be stayed as the product of a first offense. As of December 31, 2011, the Committee reported a cash balance of \$13,716.26.

John Levin – Hearing Officer

February 21, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

312/814-6440 Fax: 312/814-6485



BOARD MEMBERS
BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

ID# 10108

Friends of Rick Faccin Rick Faccin 308 Harriett St Alton, IL 62002-1721

Dear Friends of Rick Faccin:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000

or more as required by the Illinois Campaign Disclosure Act:

Contributed By	<u>Date of</u> Contribution	Amount of Contribution	Date A-1 Received	<u>Days</u> <u>Late</u>	<u>Fine</u> <u>Assessed</u>
Julian Gori & Associates	7/21/11	\$3000	8/16/11	13	\$1500

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$1500 for delinquently filing schedule A-1 reports.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$150, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (January 4). Since your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be *stayed* as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee. Therefore, vou need not pay this assessed civil penalty unless another violation occurs.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If you have any questions regarding the appeal procedure, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward

Director, Campaign Disclosure Division

La Stewan

SS: jr

Enclosures: appeal packet

^{*} This contribution was reported on the September Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

NOTAR

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

V.

11 SQ 105

Ben Pettie CPA for County Auditor

ID# 12020

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of the September 2011 Quarterly Report

The Report was received by the Board on October 28, 2011, 9 days late, resulting in a civil penalty assessment of \$225.

Benjamin Pettie, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Pettie states that the late filing is due to a change in the method by which his Committee was notified of the need to file the Report. He says this filing was the first in which the Committee received notice only by e-mail, without being sent the actual paper documents to file. Mr. Pettie adds that he believes the penalty should only be \$25, because the Committee was notified of the delinquent filing by postal mail, rather than through an e-mail the day after the due date.

E-mail report notification is an option for Committees, not a requirement. I am at a loss to explain why Mr. Pettie believes the e-mail notification sent to his Committee (on August 29) would cause or excuse a late filing of the Quarterly Report, especially in light of the fact that he submitted a request for e-mail notification not once, but twice – once in November 2010 and the second in July 2011. I therefore recommend the appeal be denied for lack of an adequate defense. In regards to Mr. Pettie's claim that the assessed penalty should be lowered, the letter accompanying the e-mail notification request clearly states, "The transmission of information to committees through e-mail is only for report notifications. All other informational materials sent by the Board will continue to be sent via the U.S. Postal Service." I therefore see no valid reason why the assessed penalty should be lowered. However, as a first violation, the penalty is stayed. (As of 12/31/11, this Committee reported a funds available balance of \$0.)

Tom Newman – Hearing Officer

February 2, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141

Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440 Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011

ID# 12020

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Ben Pettie CPA for County Auditor Ben Pettie 1501 E Washington St Bloomington, IL 61701-4232

Dear Ben Pettie CPA for County Auditor:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contributions and Expenditures

Report Period:

July 1, 2011 through September 30, 2011

Filing Period:

October 3, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on October 28, 2011, 9 days late. As such, this committee has been assessed a fine of \$225.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be **stayed**. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore**, **you need not pay this assessed civil penalty unless another violation occurs**.

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward

Director, Campaign Disclosure Division

SS: jr

Enclosure(s): appeal packet

State of Illinois)	STATE BOARD OF ELECTIONS
County of)	11 BEC 28 AM 8: 35
		ATE BOARD OF ELECTIONS STATE OF ILLINOIS
IN THE MATTER OF	;)
ILLINOIS STATE BO	OARD OF ELECTIONS) S,)
Comple	inant))
Vs.) Case No. 115Q 105
Ben Pettie 2020 Respon	<u>CPA for</u> (ou dent(s). Awdit	enty) br
	APPI	EAL AFFIDAVIT
1. Benjami- Name	~ Poffie the	(Chairman/Treasurer) of the
Den	Ve Hie	of the Committee)
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-	on or defense to the as	and states that he/she represents that the said committee ssessment of a civil penalty in this matter, and that such
Candidates 1	ofile from p	re change in method of notifing super to electronic format. This
tiling was to	vsi tiling with	thout the paper documents being mailed.
Alex, the anome	t should be pedu	ice to 25,00 because committee was notified
by regular m	gil of tardiness	s rather than an "email" on day after duredute
Signed and Sworn to be Benjamin Pet before me this 23 Deember List Con Notary Public	∱i€ Day of	Sef Sette (Signature of Chairman/Treasurer)
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Committee # 12020		120	20-	13	U 07 07 10 7 10 7 10 1
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Name Candidate/treasurer/chairman	of t	this committe	e agree th	at this e-ma	il
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Postal Service. I understand that all other information be sent by regular mail to the committee address.	ional materi	als from the J	Board shal	l continue t	0
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Position:

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Committee ID # 1202	0		e STAT	E BOARD OF ELL	CTIONS
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This is to certify that	N Pettie For	County A	uditov agrees	that all future repo	ort notifications
will be made via e-mail to		COM Cass	t. Net	rather than sent	by U.S. Postal
Service to the committee addre	∂SS.				
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Candidate		of t	his committee agn	ee that this e-mail	notification
candidate/trea	surer/chairman		•		
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	Name Bow	Jamie P	effir		
	Position Can	didate			
	E-mail Address	obroba o	concast.	net	

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. 11 AS 017

PCl Political Account

ID# 12467

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing Schedule A-1 Reports

The Committee received a \$1,536 contribution on 8/12/11, a \$1,000 contribution on 8/13/11 and a \$4,000 contribution on 8/13/11, but failed to report any of these on a Schedule A-1, resulting in a civil penalty assessment of 3,268. Additionally, the Committee had previously been assessed a \$500 civil penalty (not appealed, paid) for delinquently filing a Schedule A-1 for the 2010 General Election and a \$510 civil penalty (not appealed, paid) for delinquently filing a Schedule A-1 for the 2008 General Election. The total assessment is \$3,268.

June Holmes, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Holmes states that as a result of the Committee's previous filing delinquencies, the Committee hired a national campaign finance reporting service on August 1, 2011. However, she says the contributions in question were received during the transition period and as a result, were not filed. Ms. Holmes adds that the Committee has initiated additional safeguards to ensure that all future reporting is done correctly.

I recommend the appeal be denied for lack of an adequate defense. While there is no indication these violations were anything other than inadvertent and unintentional, since this is the third set of A-1 violations for this Committee I recommend the penalty remain at 100% of the original assessment, or \$3,268. If this recommendation is accepted by the Board, the \$3,268 civil penalty will be due and owing. (As of 9/30/11, this Committee reported a funds available balance of \$73,583.32.)

Tom Newman – Hearing Officer

December 23, 2011

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601

312/814-6440 Fax: 312/814-6485 HOARD STATE OF THE PARTY OF THE

EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011

ID# 12467

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

PCI Political Account

June Holmes 2600 River Rd, 1st floor Des Plaines, IL 60018-3203

Dear PCI Political Account:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

Contributed By	<u>Date of</u> <u>Contribution</u>	Amount of Contribution	Date A-1 Received	<u>Days</u> <u>Late</u>	Fine Assessed
Harleysville Group PAC	8/13/11	\$1000	*	n/a	\$500
Harleysville Group PAC	8/13/11	\$4000	*	n/a	\$2000
Progressive Casualty Insurance Co	8/12/11	\$1536	*	n/a	\$768

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$3268 for delinquently filing schedule A-1 reports. This total *does not* reflect any previously assessed fines.

Since this is the third or subsequent delinquent Schedule A-1 filing by your committee, the civil penalty will be \$3268, (100% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The fine will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (January 4). This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to courset this assessment.

State of Illinois)	STATE BUAND OF A TRITIERS
County of Course)	11 DEC 21 PM 2: 46
	BOARD OF ELECTIONS TE OF ILLINOIS
IN THE MATTER OF; ILLINOIS STATE BOARD OF ELECTIONS, Complainant))))
Vs. Per Political Account Respondent(s).) Case No. 1145 017
APPEAL	AFFIDAVIT
I. AUNE HOLMES, the (Name)	TREASURER of the (Chairman/Treasurer)
PCI POLITICAL	ACCOUNT
(Name of the	he Committee)
can offer a good reason or defense to the assess reasons and defenses are: PURSUANT TO THE PREVIOUS E CAMPAIGN FINANCE REPORTING A ACCOUNT EMPLOYED DDC, A HA SERVICE PROVIDED, BEGINNING AONTEIBUTIONS WERE RECEIVED FRAME AND THEREFORE THE MADE: BOTH DDC AND THE PO ADDITIONAL SAFE GUARDS SO WILL BE DONE WITHIN THE COR	States that he/she represents that the said committee ment of a civil penalty in this matter, and that such RRORS THAT OCCURRED IN PRIOL TILINOIS AND OTHER STATES, THE POLITICAL TIONAL CAMPAIGN FINANCE REPORTING AUGUST 1, 2011. ALL THREE OF THE PACE DUZING THE DDC TRANSITION TIME TIMELY SCHEDULE A-1 REPORT WAS NOT LI POLITICAL ACCOUNT HAVE INITIATED THAT ALL FUTURE SCHEDULE A-1 REPORTING RECT TIME FRAME, THERE FORE, WE
RESPECTFULLY REQUEST THE WAIVED AT THIS TIME	ENTIRE \$3,768 FINE ASSESSED BE
Signed and Sworn to by: SUNE HOLMES before me this 19th Day of December 2011 Rosenn Deleo NOTARY PUBLIC, STATE OF ILLINOIS	Aure Holman/Treasurer)
MY COMMISSION EXPIRES 8/6/2012	· 85

STATE OF ILLINOIS COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

Vs. 11 MQ 003

HWP Precinct Organization 12714

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing
The March 2011 Quarterly Report

The Report was received by the Board on August 2, 2011, 75 days late, resulting in a civil penalty assessment of \$3,750. In addition, this Committee had previously been assessed a \$75 civil penalty (not appealed, stayed, expired) for delinquently filing the December 2005 Semi-Annual Report; and a \$300 civil penalty (not appealed, stayed) for delinquently filing the June 2011 Quarterly Report. The total assessment is \$4,050.

William C. King Jr., the chairman of the Committee, appeared at the February 15 appeal hearing.

Mr. King indicated that the Committee did not receive a notice from the State Board of Elections for the 1st or 2nd quarterly reports of 2011. Therefore, the committee did not file either of these reports until they received a notice in July of 2011 that they were delinquent. The Committee filed the reports once they received this notice. The Respondent indicated on their appeal affidavit that he received a letter dated August 30, 2011 stating that the second quarterly report fine of \$300 had been stayed, Therefore, you need not pay this assessed civil penalty unless another violation occurs. The Committee received a second letter on December 5, 2011 stating the committee was 75 days late in filing the first quarterly report and was assessed a fine of \$3,750. The affidavit continues on to say that the Board would have therefore clearly known in August that both reports were late. Therefore, the Respondent believes that the wording on the August 30, 2011 letter indicating any subsequent violation of Article 9 of the Election Code, may result in the assessment of an additional civil penalty to mean that the Committee should not have been assessed for the March Quarterly Report for the Board would have known the Committee was late on that report as well. The Respondent believes there is no subsequent violation of the Election Code, because the March violation was not addressed on the August 30, 2011 letter. The Respondent is appalled that the State Board of Elections would take such deceitful actions. They request that the Board reverse its decision and stay the \$4,050 civil penalties. Furthermore, they hope the Board sends out future reports paper work in a timely manner, so they can file their reports on time.

The Committee filed the March and June 2011 Quarterly Reports on the same day. However the June 2011 Quarterly Report was assessed prior to the March 2011 Quarterly Report. The Committee did not appeal the fine for the June 2011 Report and was assessed a \$300 civil penalty as a first violation, which was stayed. It is the opinion of the hearing officer since the reports were filed on the same day that the fines should be recalculated to reflect the March 2011 Quarterly Report as a first violation and the June 2011 Quarterly Report as a second violation as per Section 125.425(i). This Section says For the purpose of this Section, second and subsequent violations are deemed to occur with reference to the time the first offense event occurs, not when a hearing, if any is required, concerning the first offense event is held. The March 2011

Quarterly report was filed 75 days late which would equate to a \$1,875 penalty and the June 2011 Quarterly report was filed 12 days late which would equate to a \$600 penalty. Although, the Committee has indicated that they did not receive any notices regarding the March 2011 and the June 2011 reports the Board mailed notices on 2/23/11 and 5/27/11 respectfully to the committee address, which, according to our records, is also the same address given for the chairman and for the treasurer of this committee on the D-1. The Board is required to annually notify each political committee of the filing dates for each quarterly report and they would have fulfilled that requirement. It is the responsibility of the treasurer of the Committee to file the required reports in a timely fashion. I therefore recommend the appeal be denied for lack of an adequate defense. In relation to the Committee's request that the Board stay the total amount assessed. I recommend the Board consider the two reporting periods as two separate violations. If these recommendations are accepted by the Board the total amount of \$2,475 will be due and owing. (As of 12/31/11, this Committee reported a funds available balance of \$0.)

Andy Nauman - Hearing Officer

Andy Mauran

February 28, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

Fax: 312/814-6485



BOARD MEMBERS
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Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

HWP Precinct Organization William C King Jr, Herman Baker 8201 S Saginaw Ave Chicago, IL 60617-2037

ID# 12714

Dear HWP Precinct Organization:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contribution and Expenditures

Report Period: Filing Period:

January 1, 2011 through March 31, 2011 April 1, 2011 through April 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on August 2, 2011, 75 days late. As such, this committee has been assessed a fine of \$3750.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4 you forfeit the right to contest this assessment.

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
April 1 through June 30, 2011	Quarterly	\$300
TOTAL AMO	\$4050	

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward, Director, Campaign Disclosure Division

SS: ir

Enclosure(s): appeal packet

State of Illinois)	STATE BUARD O	FELFATIONS
County of <u>C to K.</u>)	11 DEC 19	AK 10: 59
	BOARD OF ELECTIONS TE OF ILLINOIS	
IN THE MATTER OF;)	
ILLINOIS STATE BOARD OF ELECTIONS,)	
Complainant)	
Vs.) Case No. 11-mQ 003	
WP PRECINCT ORGANIZATION Respondent(s).)))	
	AFFIDAVIT	
1, W, LLIAM C. King JR., the C (Name) HWP PRECINET ORGANIZ	(Chairman/Treasurer)	of the
4-14-4-4-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-	he Committee)	
Committee, first being duly sworn, deposes and can offer a good reason or defense to the assess reasons and defenses are: Sec ATTached APPeace	sment of a civil penalty in this matter, and	
		· · · ·
Signed and Sworn to by:	1.1	
before me this 15 Day of	(Signature of Chaman/Treasurer)	
Notary Public BESUR HAPOSON NOTAR P. B. PATE OF ILLINOIS MY COMMUNICATION OF TRIPLES AND ASSESSMENT OF THE PROPERTY OF THE		

APPEAL AFFIDAVIT/ REQUEST FOR HEARING AFFIDAVIT HWP PRECINT ORGANIZATION ID 12714

The HWP Precinct Organization did not receive a mailing for the first and second quarter of 2011. Therefore we did not file a report. When we received a notice from you some time in July of 2011, that the identified reports were delinquent. We filed the reports on July 27, 2011.

Your August 30, 2011, correspondence stated that the <u>second quarterly</u> report fine of \$300.00 had been stayed. "Therefore, you need not pay this assessed civil penalty unless another violation occurs".

On December 5, 2011, we received a letter from you stating we were 75 days late in filing the <u>first quarterly</u> report and were assessed a fine of \$3750.00. It clearly appears that you know in August of 2011, that we had not filed a first quarterly report. However, you chose to charge us \$300.00 for the second quarterly report and stayed that action. You waited until December of 2011, to charge us \$3750.00 for missing the first quarterly report filing by 75 days. \$300.00 for the second quarterly report (your stayed action was removed) and \$3750.00 for the first quarterly report for a grand total of \$4050.00.

Your August 30, 2011, correspondence states "any subsequent violation of Article 9 of the Election Code, may result in the assessment of an additional civil penalty". We take subsequent to mean: following in time, order or place. January 1, 2011 through march 31, 2011 comes before April 1, 2011 through June 30, 2011, not after. Therefore, we should not be charged a fee for missing the first quarterly report.

There is no subsequent violation of the Election Code, because the first violation occurred January 1, 2011 through March 31, 2011 and should have been addressed in your August 30, 2011, correspondence.

We are appalled that the State Board of Elections would take such deceitful actions. We request that the Board reverse its decision and stay the \$4050.00. We hope that we receive the quarterly report paper work in a timely manner, so that we can file on time.

Thank you,

Chairman

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v.

11 SO 055

Kaneland Referendum Committee

ID# 15909

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of the September 2011 Quarterly Report

The Report was received by the Board on October 24, 2011, 5 days late, resulting in a civil penalty assessment of \$250. Additionally, the Committee had previously been assessed a \$300 civil penalty (not appealed, stayed) for delinquently filing the December 2009 Semi-Annual Report. The total assessment is \$550.

Thomas Runty, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit. Mr. Runty cites deaths in his family in October as his excuse for the late filing. He also seeks a reduction in the fine amount, noting that the Committee has minimal funds, minimal income and minimal activity.

I recommend the appeal be denied for lack of an adequate defense. If the Committee is not active, it may wish to consider filing a Final Report to end its reporting obligations. I would also note that the Committee does report ample funds to pay the assessed penalty. If this recommendation is accepted by the Board, the total assessment of \$550 will be due and owing. (As of 12/31/11, this Committee reported a funds available balance of \$6,727.33.)

Tom Newman – Hearing Officer

March 5, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440 Fax: 312/814-6485



BOARD MEMBERS
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Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011

Kaneland Referendum Committee Kelsey Johnson 711 Highview Ct Elburn, IL 60119 ID# 15909

Dear Kaneland Referendum Committee:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contribution and Expenditures

Report Period:

July 1, 2011 through September 30, 2011

Filing Period:

October 3, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on October 24, 2011, 5 days late. As such, this committee has been assessed a fine of \$250.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street. Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous F	ine Amount
July 1 through December 31, 2009	Semi-Annual		\$300
TOTAL AMOUNT NOW DUE			\$550

Sincerely.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

SS: ir

Sharon Steward, Director, Campaign Disclosure Division

Enclosure(s): appeal packet

State of Illinois)	STATE BOAR	D OF ELECTIONS
County of Kanz)	11 DEC 1	6 AM 10: 38
В	EFORE THE STATE B OF THE STATE	OARD OF ELECTIONS E OF ILLINOIS	
IN THE MATTER OF;)	
ILLINOIS STATE BOARD	OF ELECTIONS,))	
Complainant)	
Vs.) Case No. 11 SQ 055	
Kaniland Referendum 15909 Respondent	Committee 5).)))	
	APPEAL A	FFIDAVIT	
I. Thomas Rundy (Name)	, the	(Chairman/Treasurer)	of the
Kaneland Referen	dum Committee		
	(Name of the	Committee)	
		ates that he/she represents that the sent of a civil penalty in this matter,	
For reduction of	Fine: 1) Minima	I fonds; 2) minimal incom	3)
Minimal activity			
For waiver of fine:	above; plus	4) deaths in my family in	October
Signed and Sworn to by: Themas Russy before me this 1471 Day Date m hav 2011 Radiana Brassy Notary Public	OFFICIAL SEAL	(Signature of Chairman/Treasurer)	
	BARBARA BRADFORI NOTARY PUBLIC - STATE MY COMMISSION EXPIR	D \$	

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. 11 MA 100

Friends of Montelongo

ID# 16029

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of the March 2011 Quarterly Report, June 2011 Quarterly Report and September 2011 Quarterly Report

The March Report was received by the Board on November 8, 2011, 143 days late, resulting in a civil penalty assessment of \$5,000. The June Report was received by the Board on November 8, 2011, 80 days late, resulting in a civil penalty assessment of \$5,000. The September Report was received by the Board on November 8, 2011, 16 days late, resulting in a civil penalty assessment of \$3,200. Additionally the Committee had previously been assessed a total civil penalty of \$1,316 (not appealed, paid) for delinquently filing two Schedule A-1 reports for the 2010 General Election. The total assessment is \$13,200.

Jim Montelongo, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Montelongo states that the accountant who had taken care of the Committee's filings for many years left abruptly, and he mistakenly assumed she had completed the March filing and closed the Committee. He claims he did not receive notice from the Board about required filings or the penalties that were being incurred because of the failure to file, possibly because his mail may have inadvertently been mixed up with his son's. He suggests that a phone call, certified mailing or email to notify him the Committee was in violation would have prompted swift action from him to resolve the matter. Mr. Montelongo says once he finally received a notice from the Board in August or September, he sought professional assistance in completing his reports and found an accountant to do the filings in early September. However, he says problems installing and using the IDIS electronic filing software took several weeks to resolve before he was finally able to file the required reports. He adds that the Committee has been inactive for a year and he plans to close it once this matter is resolved.

I am not sure why the Committee would not have received mailings from the Board, but it should be noted that the Committee has not changed its mailing address since May 2009. It is the Committee's responsibility to keep the Board updated as to a good mailing address and absent notification of any such changes from the Committee there is no reason to assume Board mailings are not being received. Mr. Montelongo's suggestion of a phone call, email or certified mailing seems to be an attempt to abdicate the Committee's responsibility for taking notice of

Board mailings and meeting its filing requirements. In regards to Mr. Montelongo's claims of difficulties using the IDIS software, I find it hard to believe any problems would have taken two months to resolve, particularly in light of the fact that all three Reports showed no receipts, expenditures or any other activity. For these reasons, I recommend the appeal for all three Reports be denied. If this recommendation is accepted by the Board, the total assessment of \$13.200 will be due and owing. (As of 9/30/11, this Committee reported a funds available balance of \$5,505.46.)

Tom Newman – Hearing Officer

December 23, 2011

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141

Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440 Fax: 312/814-6485



BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends of Montelongo Jim Montelongo 3015 W Brookside Dr Peoria, IL 61615-4011 ID# 16029

Dear Friends of Montelongo:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contributions and Expenditures

Report Period:

January 1, 2011 through March 31, 2011

Filing Period:

April 1, 2011 through April 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on November 8, 2011, 143 day(s) late. As such, this committee has been assessed a fine of \$5000.

In addition, this committee failed to file the following documents during the requisite filing periods:

Report Type:

Quarterly Report of Campaign Contribution and Expenditures

Report Period:

April 1, 2011 through June 30, 2011

Filing Period:

July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on November 8, 2011, 80 day(s) late. As such, this committee has been assessed a fine of \$5000.

Report Type:

Quarterly Report of Campaign Contribution and Expenditures

Report Period:

July 1, 2011 through September 30, 2011

Filing Period:

October 3, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on November 8, 2011, 16 day(s) late. As such, this committee has been assessed a fine of \$3200. The total for all new assessments is \$13200.

State of Illinois)	STATE BOARD OF THE TIONS
County of)	11 DEC 19 PM 12: 19
	BOARD OF ELECTIONS TE OF ILLINOIS
IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs. Friends of Montelongo Respondent(s).) Case No. // MA/W)
	AFFIDAVIT
1. Jim Montelongo, the (Name) Friends of Montelong (Name of	
	states that he/she represents that the said committeesment of a civil penalty in this matter, and that such
Notary Public & B. E. s	(Signature of Chairman Treasurer) AL SEAL* CHENCK STATE OF ILLINOIS 2014 98

December 16, 2011

To Whom It May Concern:

I am asking for your honorable consideration of eliminating or significantly reducing of the amount of the penalties for the following reasons:

The Friends of Montelongo has remained dormant since November/December 2010. No fundraising nor were expenses incurred, except for recent accountant expenses.

I lost the race for State Representative in November 2011 and decided not to run for re-election for Peoria City Council. The term of Peoria City councilman ended in May 2011.

My main accountant that was taking care of the filings for many years left my company abruptly. I understood that she had filed for me for the period Jan-March and closed my campaign. I just assumed all was ok.

I did **not** receive notice of needing to file or that penalties were incurring because of not filing from the State Board of Elections until late summer 2011. I believe that my mail was inadvertently mixed up with my son's mail, who shares the same address, first and last name as me and who has received a lot of mail from colleges and universities this year.

As soon as I received a mailing from the State Board of Election in August/September that I had filings to complete I immediately tried to find professional assistance by calling a local accounting companies to file the report for me.

I managed to find one company, Romolo Accounting, that could but would not because I was not an existing customer. In early September I found a person that had past experience filing reports. I met with him. He told me the items that I needed for him to file. He came to my office where he tried to login in and update my reports in the IDIS system but could not because of new software upgrade. We tried upgrading by using the instructions and could not get it to work after a couple of hours. (We did try using the IDIS help desk but could not get somebody during the accountant's visits nor did they return the call at the scheduled time.) The IDIS were helpful when we eventually talked to them.)

I spent hours trying to get the program running on many different computers but could not get it to work. I solicited our companies IT experts, ATS, to get this to work and they could not in the first couple of days. They eventually did a week later. At the same time the accountant had loaded the program on his computer and talked with the support team at IDIS and got it figured out after many weeks. The accountant eventually filed for me after a long and extensive period of time trying to get the software to work.

I have about \$3500 in the campaign account after paying the accountant for his work. The biggest part of his bill was paying to install the software. I hope to close this campaign committee as soon as this is resolved.

1 phone call, I certified mail, I email to notify me that the committee was in violation and that fines were being assessed would have prompted a swift call to action from me to resolve this matter immediately.

Once again I respectfully ask for your consideration and benefit of the doubt to clear the fines and or to significantly reduce them.

If you should have any questions please contact me.

Respectfully,

Jim Montelongo

309-208-1034

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. 11 SQ 120

McAvoy for Alderman Committee

1D# 17306

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of the September 2011 Quarterly Report

The Report was received by the Board on October 26, 2011, 3 days late, resulting in a civil penalty assessment of \$75.

Tamothy W. Harnedy, the Treasurer of the Committee, illed a Waiver of Appearance, and submittee on the Appeal Affidavit the following:

On the Affidavit, Mr. Harnedy states that this Report was the first time the Committee attempted to file electronically. He says to complete the filing they had to get a new internet connection, which took a few days. Mr. Harnedy says he also unde an error on his first filing attempt which required staff assistance to correct, resulting in an additional filing delay.

Section 100.150 of the Board's Rules and Regulations allows a Committee that is required to file reports electronically to utilize a one-time electronic filing defense. However, since this Committee has never exceeded the \$10.000 threshold requiring electronic filing, an electronic filing defense is not applicable. The Report could have been filed on paper. Therefore, I must recommend the appeal be defined for lack of an adequate defense. As a first violation, the \$75 civil penalty is stayed. (As of 12/21 11, this Committee reported a funds available balance of \$189.90.)

Tom Newman - Hearing Officer

February 2, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141

Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440 Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011

1D# 17306

BOARD MEMBERS William M. McGuffage, Chairman Jesse R. Smart, Vice Chairman Harold D. Byers Bety J. Coffrin Ernest L. Gowen Judith C. Rice Bryan A. Schneider Charles W. Scholz

McAvov for Alderman Committee Erin M Crouse 9130 W 89th St Hickory Hills, IL 60457-1208

Dear McAvoy for Alderman Committee:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Quarterly Report of Campaign Contributions and Expenditures Report Type:

Report Period: July 1, 2011 through September 30, 2011 October 3, 2011 through October 17, 2011 Filing Period:

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on October 20, 2011, 3 days late. As such, this committee has been assessed a fine of \$75.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be stayed. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. Therefore, vou need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sharon Steward

Director, Campaign Disclosure Division

SS: ir

Enclosure(s): appeal packet

State of Illinois) STATE 30	NAME GET LECTIONS	
	27 AM 10:31	
BEFORE THE STATE BOARD OF ELECTIONS OF THE STATE OF ILLINOIS		
IN THE MATTER OF;		
ILLINOIS STATE BOARD OF ELECTIONS.		
Complainant)		
Vs.) Case No. 11 SQ 12	<u>O</u>	
MªAvoy FOR ALBERMAN COMMITTE		
$7306 \qquad \text{Respondent(s)}. \qquad)$		
APPEAL AFFIDAVIT I. INOTHY W. HARNEDY, the CHAICMAN of the (Chairman/Treasurer) MCAVOY FOR ALDERNAM COMMYTEE #10 = 17306 (Name of the Committee)		
Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:		
THIS REPORT WAS THE FIRST TIME THAT THE COMMITTEE ATTEMPTED TO		
FILE ELECTRONICALLY. WE DISCOVERED YARY IT WAS IMPOSSIBLE TO		
DOWNLOAD THE REPORTING PROGRAM VIA A "DIALUP" CONNECTION. AS A RESULT		
WE HAD TO COMMENY WITH A TIT BRODDBAND, WILLY TOOK A FEW DAYS. YUEV		
WE MADE AN EXPLEIN OUR FIRST TRY "- AND HAD TO CALL SPRINGFIELD YOUR CET IT CORRECTED AND RESYMET THE PROCESS. IT WAS OUTTE A LEARNING Signed and Sworn to by: EXPERIENCE! NEXT TIME IT WILL BE DONE ON TIME! (SEE		

before me this 30 Day of 2011

Day of 2011

Day of 2011

Notary Public

(Signature of Chairman/(Freasurer)

(SEE ANTACHEO)

OFFICIAL SEAL
D'LORAH CATIZONE
NOTARY PUBLIC - STATE OF ILLINOIS
INY COMMISSION EXPUES SEG1/15

Subj: Error / Request for assistance

Date: 10/18/2011 9:28:21 A.M. Central Daylight Time

From: <u>Madmc51@aol.com</u>

To: webmaster@elections.il.gov

Dear SBE:

I made the error listed below on attached. The correct Committee ID No. is 17306 03.

I have been attempting to set this program up and run it for hours and hours and just ran out of gas late last night.

I even went out last week and got hooked up for broadband.

I've been working with computers since 1969 and this is one big, complex program.

I am determined to master it though.

I'd appreciate also getting set up with an account and password.

Thanks.

Tom McAvoy

Alderman - Third Ward City of Hickory Hills 9130 West 89th Street Hickory Hills, IL 60457-1208 Tele: 708-599-2815

Email: madmc51@aol.com

AOL: Madmc51

IDISWcfServices

Membership Error: There is no account in the database for user name S8414 03.

at IDIS.WebServices.WSCommittee.CheckForUpdates(Int32 vintCommitteeID)

at IDISView.IDISView_Load(Object sender, EventArgs e)

I was entering info into the Committee Details Section when I inadvertnetly entered the old Committee ID number. I can't figure out how to corret the error.

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

11 MA 105

Citizens to Elect Ray Kincaid

V.

ID# 17409

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of the June 2011 and September 2011 Quarterly Reports

The June Quarterly Report was received by the Board on November 2, 2011. 76 days late, resulting in a civil penalty assessment of \$1,900. The September Quarterly Report was received by the Board on November 2, 2011. 12 days late, resulting in a civil penalty assessment of \$600. The total assessment is \$2,500.

Ray Kincaid, the Candidate of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Kincaid states that with the change from Semi-Annual Reports to Quarterly Reports, his Committee was told it should file its reports electronically. Mr. Kincaid says this was a problem for him and his wife, because as seniors they are not used to filing via computer. He also states that the filing form that he used to receive in the mail stopped coming, and without the reminder provided by those mailings he forgot to file the Reports on time. Mr. Kincaid says after receiving a notice about the failure to file, he contacted Board staff and was told he was still able to file on paper. He describes the whole situation as very confusing and also asks that the two violations be treated as one and the penalty stayed, since the two Reports are the equivalent of one Semi-Annual Report.

While electronic filing is recommended and even encouraged for all committees, it is only required for those committees that have exceeded the \$10,000 threshold, which this Committee has not. So while Mr. Kincaid may have thought his Committee needed to file electronically, it was never a requirement and the Reports could have been (and were eventually) filed on paper. As for the lack of Report packets being mailed to the Committee, Mr. Kincaid filed a request for e-mail report notifications in November of 2010. This request includes the language. "I would like to receive-mail report notifications. I understand that I will no longer receive notifications by mail." As a result, the Committee was sent e-mail reminders about upcoming Reports, but not sent a Report packet for any of the Quarterly Reports due in 2011 - a fact that did not prevent the Committee from filing its March Quarterly Report on time. In regards to Mr. Kincaid's request to consider the two violations as one, I must point out that the time periods involved (4/1 - 9/30) would not have covered a single Semi-Annual reporting period, and in any case there is no provision for granting such a request. For all these reasons, 1 must recommend the appeal be denied for both Reports. If this recommendation is accepted by the Board, the total assessment of \$2.500 will be due and owing. (As of 12/31/11, this Committee reported a funds available balance of \$1.285.41.)

Tom Newman – Hearing Officer

February 7 2012

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141

Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440 Fax: 312/814-6485

EXECUTIVE DIRECTOR

BOARD MEMBERS William M. McGuffage, Chairman Jesse R. Smart, Vice Chairman Harold D. Byers Bety J. Coffrin Ernest L. Gowen Judith C. Rice Bryan A. Schneider Charles W. Scholz

Rupert T. Borgsmiller December 5, 2011

ID# 17409

Citizens to Elect Ray Kincaid Janet Seibert, Robert L Seibert 336 Pleasant St Hoffman Estates, IL 60194

Dear Citizens to Elect Ray Kincaid:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contributions and Expenditures

Report Period:

April 1, 2011 through June 30, 2011

Filing Period: July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on November 2, 2011, 76 day(s) late. As such, this committee has been assessed a fine of \$1900.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contribution and Expenditures

Report Period:

July 1, 2011 through September 30, 2011

Filing Period:

October 3, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on November 2, 2011, 12 day(s) late. As such, this committee has been assessed a fine of \$600. The total for all new assessments is \$2500.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

State of Illinois)		STATE BRARD OF	TETTONS
County of Cook)		11 0EC 27	AM 10: 31
	THE STATE BOAF OF THE STATE OF	RD OF ELECTIONS TILLINOIS	
IN THE MATTER OF;	.)		
ILLINOIS STATE BOARD OF ELE	CTIONS,		
Complainant))		_
Vs FIZENS TO ELECT RVAY Respondent(s).	() _KINCHID))	Case No. 11MH-105	<u>) </u>
	APPEAL AFFIL	DAVIT	
I, RAY KINCAID (Name)	, the	ANDIO ATE (Chairman/Treasurer)	of the
CITIZENS TO EL	LECT RAY	4 KINGTIO	
Committee, first being duly sworn, can offer a good reason or defense t reasons and defenses are:			
		1	
Signed and Swom to by: before me this 22 Day of hecomber, 2011	Jaywa Jes	Signature of Chairman/Treasurer	t andida
Notate Public OFFICIAL SE	•••••		

Earlier in the year I was notified that your office was changing from semi-annual to quarterly reports and we should file online or electronically. Since I do not do email I asked my wife to help. My wife and I are seniors and although we dabble with emails it is still a work in progress. Forms that I used to receive in the mail, stopped coming and I do not remember getting notified.

On 10/26/11, I received a letter in the mail, (now called snail mail by people younger than me) telling me for the first time, I failed to file quarterly reports for 7/1/11-9/30/11 and 10/3/11-10/17/11. I called and stated my concerns and my inability to filing electronically and was told I could file manually since my committee was under \$10,000.

I filed both in the same envelope on 10/31/11 writing that this had been very confusing.

My committee has been under \$1,400 for over 20 months now and in this economy, I do not plan on doing any fundraisers. I do not understand why email notice would stop land mailing forms and notices. Out of sight, out of mind. I was under the impression I would still get hard copy forms and an email notice to remind me to fill out the forms that were mailed to me.

Please stay the assessed civil penalties as written in the letter of December 5, 2011. This is my first violation even though I filed both quarters, (would have been 1 semi-annual) at the same time in the same envelope. I feel that this has happened to me, not because I did not intend to file timely, as I have done in the past, but I was confused.

Committee #
This is to certify that CHIZENS TO Elect Agrees that all future report notifications will be committee name
made via e-mail to ray, KINCA in Hoffman Etates of the e-mail address
will be sent by regular mail. I, Ranke Name, as
of this committee agree that this e-mail candidate/treasurer/chairman
notification shall be received from the State Board of Elections in lieu of notifications sent via U.S.
Postal Service. I understand that all other informational materials from the Board shall continue to
be sent by regular mail to the committee address.
Yes, I would like to receive e-mail report notifications.
I understand that I will no longer receive notifications by mail.
Name Ry Kin (a) d Position Trustee
E-mail Address Ray. Kinchio Hoffman Estates. ORG
No, I do not wish to receive report notifications by e-mail.
Name:
Position:

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

11 SQ 067

Illinois State Board of Elections

Complainant

V.

Illinois Assn of Chiefs of Police PAC Cmte ID: 17441 Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment For Delinquently Filing the September 2011 Quarterly Report

The Report was received on November 8, 2011, 16 days late, resulting in an assessment of \$800. The Committee was previously assessed \$100 (not appealed, expired) for delinquently filing the June 2009 Semi-Annual Report.

John Kennedy, the Treasurer of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Mr. Kennedy blamed the late filing on a "leadership transition" within the Committee that is now complete.

I recommend the appeal be denied for lack of an adequate defense. If the Board accepts this recommendation, the assessment would be stayed as the product of a first offense. As of December 31, 2011, the Committee reported cash on hand of \$5602.50.

John Levin – Hearing Officer February 27, 2012

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

312/814-6440 Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011

ID# 17441

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Illinois Assn of Chiefs of Police PAC Patrick J. O'Connor 10900 S 88th Ave Palos Hills, IL 60465

Dear Illinois Assn of Chiefs of Police PAC:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contributions and Expenditures

Report Period:

July 1, 2011 through September 30, 2011 October 3, 2011 through October 17, 2011

Filing Period:

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on November 8, 2011, 16 days late. As such, this committee has been assessed a fine of \$800.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore**, **you need not pay this assessed civil penalty unless another violation occurs**.

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward

Director, Campaign Disclosure Division

SS: jr

State of Illinois)) County of SadGAMad)	STATE BOARD OF EVECTIONS 11 DEC 30 AM II: CO
BEFORE THE STATE BOA OF THE STATE C	ARD OF ELECTIONS
IN THE MATTER OF;)	
ILLINOIS STATE BOARD OF ELECTIONS,)	
Complainant Vs. Tecides Association of Ochiefs of Police (Teach) Respondent(s).	Case No. 1150 067
APPEAL AFF	FIDAVIT
Name) ILLINOIS ASSUCIATION OF CHIEF	
Committee, first being duly sworn, deposes and state can offer a good reason or defense to the assessmen reasons and defenses are:	es that he/she represents that the said committee it of a civil penalty in this matter, and that such
THE TEACH HAS COME THROW TION AND IT IS OUR HODE ASSESSMENT, EVEN THOUGH STA	THE CIVIL PENALTY AYED, CAN BE DISMISSED
Dirich	
Notary Public OFFICIAL SEAL BENJAMIN VEHOVIC Notary Public, State of Illinois My Commission Expires 19-03-14	

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. 11 MQ 039

Mark J Gernigin Campaign Crute ID: 18746 Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment For Delinquently Filing the March 2011 Quarterly Report

The Committee filed a Final Report in lieu of the Quarterly Report. The Report was received on July 28, 2011, 72 days late, resulting in an assessment of \$3600. The Committee was previously assessed \$25 for delinquently filing the December 2010 Semi-Annual Report.

Mark Gernigin, the Candidate, Chairman and Treasurer of the Committee, appeared for the hearing at the Board's Springfield office, 2329 S. MacArthur Blvd, at 11am on February 21, 2012.

Mr. Gernigin testified a friend had faxed the Report on March 31, 2011, but had used an antiquated fax machine that did not provide a receipt. He was unaware the Board had not received the Report and assumed the Final Report had ended his filing responsibilities. When he subsequently received notice the Board had not received the June 2011 Quarterly Report, he contacted Board staff, learned the Final Report had not been received, and again filed the Final Report. It has been reviewed and accepted by Board staff. Mr. Gernigin testified he had faxed Reports without incident in the past and had no intention to violate the Act.

While I sympathize with Mr. Gernigin, I recommend the appeal be denied for lack of an adequate defense. If the Board accepts this recommendation, a total of \$3625 would be due and owing. The Committee having filed a Final Report on July 28, 2011, with an ending balance of \$0.00, under Section 125.425 of the Rules accompanying the Act, the assessment would be abated if the Committee does not reactivate within two years of the final board order in this matter.

John Levin – Hearing Officer February 21, 2012

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440 Fax: 312/814-6485

EXECUTIVE DIRECTOR Rupert T. Borgsmiller

BOARD MEMBERS William M. McGuffage, Chairman Jesse R. Smart, Vice Chairman Harold D. Byers Bety J. Coffrin Ernest L. Gowen Judith C. Rice Bryan A. Schneider Charles W. Scholz

August 30, 2011

Mark J Gernigin Campaign Mark Gernigin 211 S Ninith St East Alton, IL 62024-1718 ID# 18746

Dear Mark J Gernigin Campaign:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contribution and Expenditures

Report Period:

January 1, 2011 through March 31, 2011 April 1, 2011 through April 15, 2011

Filing Period:

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was

received on July 28, 2011, 72 days late. As such, this committee has been assessed a fine of \$3600.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
July 1 through December 31, 2010	Semi-Annual // 1/S()8(0)	\$25
TOTAL AMOUNT NOW DUE		\$3625

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward, Director, Campaign Disclosure Division

SS: jr

State of Illinois	STATE BOARD OF ELECTIONS
County of Madison	11 DEC 20 AM 8: 41
	BOARD OF ELECTIONS TE OF ILLINOIS
IN THE MATTER OF:))
ILLINOIS STATE BOARD OF ELECTIONS, Complainant)))
Vs. <u>Mark J. Gernjain Campagr</u> Respondent(s).) Case No. H MQ 034
	AFFIDAVIT
I. Mark J. Gernigin, the (Name)	Chairman/Treasurer of the (Chairman/Treasurer)
Mark J. Gernigin (Name of the	Committee)
	states that he/she represents that the said committee ment of a civil penalty in this matter, and that such
I originally Faxed my	Final report 3/3//2011
	ad been met. 1 Hached is an explanation.
since I thought therep	ent had been fixed I did not
take advantage of the	amnesty opputunity
Signed and Sworn to by: Clark Aleman before me this 19 Day of Occur Lin 2011 Thing I this	(Signature of Charman (Treasurer))
Notary Public OFFICIAL SEAL SHERRY LITTE NOTARY PUBLIC - STATE OF ILLINOIS	618-558-8235

December 19, 2011

Reference:

Mark J. Gernigin Campaign

Case # 11-MQ-039

Based on the fact I do not fundraise between elections, the fact my campaign account has been reduced to \$0 from Bank Fees charged since the account is no longer available as free, I contacted your office at 217.782.4141 I spoke to Tom Newman. He explained that I could finalize my campaign committee. With his help I decided to finalize my committee, on March 31, 2011 I faxed My Final Report.

On July 28, 2011 I opened correspondence stating my report was not filed. I called the office at 217.782.4141 and spoke to Tom Newman. He instructed me to immediately fax another report, and wait to see if it would be accepted, I did so. A letter dated August 2, accepted the report.

A letter dated August 1, 2011 informed me of a hearing for failure to file. The hearing was scheduled September 6.

received a letter dated August 30, 2011 with assessed penalties for late filing.

decided to contact the office again on September 6, the date of the scheduled hearing and spoke to Sharon Steward. She confirmed that my report had been accepted and did not need to attend the hearing. I believed at this point this matter was settled. My final report dated March 31, 2011 was accepted by your office.

Received another letter dated October 20, 2011 stating a final assessment of penalty.

With so many letters crossing in the mail, I hope you can understand why I was confused. Once again, I believed my obligation was met. I have been very confused with this process. I would appreciate a chance to plea my case to the board. Your consideration in this matter would be greatly appreciated.

Sincerely,

Mark J. Gernigin

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v.

11 SQ 074

Friends of Tara McAnarney-Gibbs

ID# 18978

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of the September 2011 Quarterly Report

The Report was received by the Board on October 24, 2011, 5 days late, resulting in a civil penalty assessment of \$250. Additionally, the Committee had previously been assessed a \$25 civil penalty (not appealed, stayed) for delinquently filing the June 2011 Quarterly Report. The total assessment is \$275.

Tara McAnarney-Gibbs, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. McAnarney-Gibbs states that the Committee has been inactive for approximately three years, and she forgot about the required filing.

I recommend the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board, the stay would be lifted from the previous penalty, and the total assessment of \$275 would be due and owing. (As of 9/30/11, this Committee reported a funds available balance of \$504.362)

Tom Newman – Hearing Officer

December 19, 2011

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141

Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

312/814-6440 Fax: 312/814-6485



BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011

ID=18978

Friends of Ta a McAnarney Gibbs James P Gibbs Jr. Tara McAnarney-Gibbs 520 Overton Rd

Springfield 11 ((27) 1-6364

Dear Friends of Tarn McAnamey Gibbs:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type. Quarterly Report of Campaign Contribution and Expenditures

Report Period: July 1, 2011 through September 30, 2011
Library Period: October 3, 2011 through October 17, 2011

Based upor this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on October 24, 2011, 5 days late. As such, this committee has been assessed a fine of \$250.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine a you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order (January 4). You will be notified of this payment due date in the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704.

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
April 1 through June 30, 2011	Quarterly	\$25
TOTAL AMOUNT NOW DUE		\$275

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sharon Steward

Director, Campaign Disclosure Division

SS: jr

State of Illinois)	STATE BOARD OF ELECTIONS
County of Scagamon)	11 DEC 15 AM 10: 39
BEFORE THE STATE B OF THE STATE	
IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,))
Complainant))
Vs.) Case No. 11 SQ 074
Friends of Tara McAnagaiy-G.5bs 18978 Respondent(s).)))
APPEAL A	FFIDAVIT
1. Tara mcAnarney-C. 455, the (Name)	Chairman/Treasurer) of the
Friends of Tara Manarney (Name of the	Committee)
Committee, first being duly sworn, deposes and stacan offer a good reason or defense to the assessment reasons and defenses are:	ates that he/she represents that the said committee ent of a civil penalty in this matter, and that such
george and I forget about in a timely manner in the me with early questions a	the fling. I will file fiture Please contact
Notary Public Xaffler A. McAnarry Notary Public Kathleen a My Commission of the Comm	(Signature of Charifman/Treasurer)

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v.

11 MQ 008

Cerda for Clerk

ID# 19913

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of the March 2011 Quarterly Report

The Report was received by the Board on June 25, 2011, 50 days late, resulting in a civil penalty assessment of \$1,225.

Jose Cerda III, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Cerda states that he was unable to successfully download the new IDIS 2.0 electronic filing software, so he initially filed the Report on paper on April 22, 5 days late. After being informed that the Report needed to be re-filed electronically within 30 days, he says he contacted Board staff for technical assistance, but was unable to resolve the problem. Mr. Cerda says he was ultimately forced to purchase a new computer to complete the filing, albeit about two months late, but he was told by staff that since the Committee had no prior infractions it would not be assessed a penalty for the late filing. Mr. Cerda goes on to say that about the time of the filing, the Committee received a letter from the Board indicating that a one-time amnesty was being granted to committees that filed the March Quarterly Report late, so he was surprised to later learn of the \$1,225 fine being assessed for filing the Report 50 days late, when he had previously been told it was only 5 days late (based on the original paper filing date of 4/22/11) and that an amnesty would be granted. Mr. Cerda adds that he believes that at a minimum, his Committee should be given the same amnesty as others who filed late.

While I sympathize with the Committee's confusion in regards to an amnesty not being granted for their late filing, the number of days late and for their difficulties with electronic filing, the fact remains that the Report was not re-filed electronically within the required time period and as a result the Committee made itself ineligible for the one-time amnesty. Section 100.150 of the Board's Rules and Regulations states that the first time a committee that is required to file its reports electronically instead files by paper, it is given 30 days to re-file the report, and "If the report is not filed electronically within this 30 day period, it shall be considered as never having been filed and the civil penalties...will accrue from the date of the filing deadline." The Committee was notified that the Report had to be re-filed electronically by May 25, 2011, but it was not filed until a full month after that deadline. By not electronically re-

filing the Report with the required 30 days, the Committee's original paper filing was considered as never having been filed and as a result the Committee became ineligible for the one-time amnesty, because the eventual receipt date for the Report was outside the amnesty period. I do not believe Mr. Cerda was ever told that no penalty would be assessed for the late filing. It is more likely he misunderstood when told that, as a first violation for late filing, the penalty would be stayed. Finally, while it seems clear the Committee had some extraordinary problems with electronic filing, I am concerned that it took more than two months after the original filing deadline to resolve those problems and file the Report. This seems to indicate a lack of due diligence on the Committee's part. I therefore recommend the appeal be denied. As a first violation, the penalty is stayed. (As of 9/30/11, this Committee reported a funds available balance of \$0.)

Tom Newman – Hearing Officer

December 21, 2011

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141

Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011

BOARD MEMBERS William M. McGuffage, Chairman Jesse R. Smart, Vice Chairman Harold D. Byers Bety J. Coffrin Ernest L. Gowen Judith C. Rice Bryan A. Schneider Charles W. Scholz

Cerda for Clerk

Jose Cerda III

1523 W Jackson Blvd

Chicago, IL 60607-5303

Dear Cerda for Clerk:

As you have been previously notified, this committee failed to electronically re-file the following document as required:

Report Type:

Quarterly Report of Campaign Contributions and Expenditures

Report Period:

January 1, 2011 through March, 31, 2011

Filing Period:

April 1, 2011 through April 15, 2011

ID# 19913

Based upon this committee's failure to comply with the provisions of Section 100.150 Rules & Regulations, it has been assessed a civil penalty for each day this report remained electronically unfiled. According to Board records, this report was electronically re-filed by your committee on June 25, 2011, 50 day(s) late. As such, this committee has been assessed a fine of \$1225.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4 you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously staved, shall become due and owing. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Jenny Ronimous at 217/782-1543.

Sincerely;

Sharon Steward

Director, Campaign Disclosure Division

State of Illinois	STATE BRADD OF COUNTINGS
County of (2014)	11 DEC 12 AM 10: 33
	BOARD OF ELECTIONS TE OF ILLINOIS
IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,))
Complainant)))
Vs. CELVA FOR CELK 19913 Respondent(s).) Case No. 11110200
APPEAL A	AFFIDAVIT
1. 7SE 68AA TU, the (Name)	(Chairman/Treasurer) of the
(Name of the	e Committee)
can offer a good reason or defense to the assessn reasons and defenses are:	tates that he/she represents that the said committee nent of a civil penalty in this matter, and that such
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SETTIME TO LUNCK	ON MY CEMPOREL + OLTHARD
_ KA TO LET A NELL CO	SWEVERLY + OPENATING - SYSTEM
TOU DE NEW INS E	20 SCETTIONED D. LICICE, AUG.
(3) I'UNIOS STATE STAN	
E SW GANGER GAN	MATERIAL BECAUSE DE ME
before me this gith Day of Lethery the Jan Scarn North Missing CIAL SEAL	(Signature of Chairman/Treasurer) - BE ASSESSED A FINE.
My Commission Expires 03/28/2014	DE ATTACORE LETTER)

Jose Cerda III 1523 W. Jackson Blvd, Chicago, IL 60607

December 9, 2011

Shannon Steward Director, Illinois State Board of Elections 1020 S. Spring Street Springfield, IL 62704

** ATTENTION: CAMPAIGN DISCLOSURE **

Dear Ms. Stewart:

This letter is to accompany the enclosed appeal affidavit 1 am filing on behalf of Cerda for Clerk (ID# 19913), and to expand upon the unusual circumstances surrounding the late filing of our first quarter report for 2010.

As I expressed both in writing and by telephone to your office at the time, I was not able to successfully download the new IDIS 2.0 software to file my committee's 2011 first quarter report and instead sent a hard copy with your office in Springfield, which arrived there five days late. After receiving a letter from you stating that my committee still needed to file electronically, I called to explain that I was having difficulty downloading the new software, and asked for your advice as well as for technical support. You told me I stilled needed to file the report electronically, but also said that since my committee had no prior infractions it would not be assessed a penalty. You also put me in touch with your technical staff, who unfortunately were not able to resolve my problem.

Ultimately, in order to download and use IDIS 2.0 I had to purchase a newer version of Windows as well as scrap my campaign computer, which could not accommodate the new software or operating system required to operate it. With a different computer and new version of Windows, I was finally able to downloaded IDIS 2.0 and file my first quarter report electronically, about two months late. About the same time, I received a letter from your office, explaining that—because of the many difficulties associated with the version of IDIS 2.0—the Board was granting a one-time amnesty to committees like mine that had filed late as a result of the software change.

Imagine my surprise then when I received your letter this week, assessing my committee a fine of \$1,225 for filing my first quarter report 50 days late—after previously having being told that I was only five days late; that I would not be assessed a penalty for this minor, first-time infraction; and that my committee and others that filed late because of the changeover to IDIS 2.0 would be granted a one-time amnesty. At a minimum, it would seem to me, my committee should be given the same grace period as the other committees that filed late due to the software update.

I understand that the penalty my committee has been assessed will be stayed because this is a first-time violation. Nonetheless, it is important for me that the committee's record remains unblemished. I hope that in considering this appeal, the Board will consider that (1) since its inception in 2006, my committee has a record of both filing on time and in a comprehensive manner; (2) my committee has not been active in any election since 2007 and maintained only a minimal balance during the time in question (about \$100); and (3) given the committee's inactive state, I plan to close it in 2012 anyway.

Thank you for your consideration of this appeal. If you have any questions or require any additional information, please do not hesitate to contact me at 312-404-4633.

1

Jose Cerda III

Chairman, Cerda for Clerk

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

V.

Complainant

11 SQ 080

Friends of Eugene Williams
Cmte ID: 19769
Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment For Delinquently Filing the September 2011 Quarterly Report

The Report was received October 28, 2011, 9 days late, resulting in an assessment of \$450. The Committee was previously fined \$100 for delinquently filing the June 2010 Semi-Annual Report.

Eugene Williams, the Candidate, Chairman and Treasurer of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Mr. Williams stated he had switched computers and did not receive email notification from the Board of the pending Report. He acknowledged he should have remembered Reports are now required on a quarterly basis and accepted fault for the late filing.

I recommend the appeal be denied for lack of an adequate defense. If the Board accepts this recommendation, the stay on the previous fine would be lifted, and a total of \$550 would be due and owing. As of December 31, 2011, the Committee's reported cash balance was \$12,109.61.

John Levin – Hearing Officer February 22, 2012

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

Fax: 312/814-6485



BOARD MEMBERS William M. McGuffage, Chairman Jesse R. Smart, Vice Chairman Harold D. Byers Bety J. Coffrin Ernest L. Gowen Judith C. Rice Bryan A. Schneider Charles W. Scholz

Friends of Eugene Williams Eugene Williams 19633 Lake Park Dr Lynwood, IL 60411

Dear Friends of Eugene Williams:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contribution and Expenditures

Report Period: Filing Period:

July 1, 2011 through September 30, 2011 October 3, 2011 through October 17, 2011

ID# 19769

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on October 28, 2011, 9 days late. As such, this committee has been assessed a fine of \$450.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections. Attn: Campaign Disclosure, 1020 S Spring Street. Springfield, IL 62704. You may also pay by MasterCard. Discover, or American Express.

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
January 1 through June 30, 2010	Semi-Annual	\$100
TOTAL AMO	UNT NOW DUE	\$550

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

SS: jr

Sharon Steward, Director. Campaign Disclosure Division

Enclosure(s): appeal packet

Sincerely,

State of Illinois)	STATE BOARD OF FLECTIONS
County of coop)	11 DEC 29 PM 12: 08
	BOARD OF ELECTIONS TE OF ILLINOIS
IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)))) () () () ()
Vs.) Case No. 150 080
FRIENDS OF EVEENE WILLIAMS 19769 Respondent(s).))
APPEAL	AFFIDAVIT
I, <u>EUGENE WILLIAMS</u> , the	CHAIRMAN of the (Chairman/Treasurer)
FRIENDS OF EUGE	WE WILLIAMS
	he Committee)
can offer a good reason or defense to the assess reasons and defenses are:	states that he/she represents that the said committee ment of a civil penalty in this matter, and that such
WASN'T MADE OFFRATIONAL	FILE ON TIME, THE COMPUTER
	REMEMBERED THAT WE ARE
NOW REQUIRED TO FILE	
Signed and Sworn to by:	
before me this 27+1 Day of	Ingente Milliams Signature of Chairman/Treasurer)
Notary Public OFFICIAL S DENINE G PIN NOTARY PUBLIC - STA MY COMMISSION EXP	KOWITZ TE OF ILL INCIR PIRI

STATE OF ILLINOIS COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

Vs. 11 AQ 083

Friends of Arnold R Crater 20287
Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for Delinquently Filing
The September 2011 Quarterly Report

The Report was received by the Board on 11/8/11, 16 days late, resulting in a civil penalty assessment of \$400. In addition, this Committee had previously been assessed a \$100 civil penalty (not appealed, paid) for delinquently filing the 2007 CE Pre-Election Report; a \$225 civil penalty (not appealed, paid) for delinquently filing the December 2007 Semi-Annual Report: a \$50 civil penalty (not appealed, paid) for delinquently filing the June 2009 Semi-Annual Report. The total assessment is \$400.

The Respondent did not appear for the February 15th appeal hearing. However, Arnold Crater called the hearing officer on February 21st and another appeal hearing was scheduled for February 24th in which Arnold Crater, the candidate appeared.

Arnold Crater indicated that he was no longer on the School Board for he did not run for re-election and his Committee has had no activity in the last 4 years except bank fees. Mr. Crater also indicated that he believed he had to file the report electronically since he started filing electronically even though he never raised enough funds to reach the electronic filing requirement. Mr. Crater went on further to explain how on the day prior to the report being due he was having difficulty porting his information into IDIS 2.0. He then contacted the State Board and with the assistance of IT staff he got the report filed. He also indicated that when he contacted the State Board of Elections on November 8, 2011 he ultimately got the report filed that day.

I believe Mr. Crater may have combined two different events into one as a defense for this appeal. I looked back and it appears that he did have an electronic filing issue related to the March 2011 Quarterly Report with a porting issue that was resolved by our IT staff. However, the Committee was not assessed a fine for that report for the Board gave the Committee amnesty in filing that report late. This appeal was actually for the delinquent filing of September 2011 Quarterly Report and after reviewing the IDIS Service Requests for this period it appears that Mr. Crater again had an electronic filing issue. However, Mr. Crater did not contact the State Board of Elections for assistance with this matter until 11/8/08 the day the report was filed. Mr. Crater did need assistance, but our records indicate that he did not contact us until 16 business days after the report was due. Additionally, the Committee was under no obligation to file the Report electronically and, therefore, is not entitled to relief pursuant to Section 100.150(c)(5) of the Rules accompanying the Act. I recommend that the appeal be denied for lack of an adequate defense.

As a first violation, the penalty is stayed. In addition, since the Committee filed a Final Report on 2/27/12, during the two year period beginning with the date of the final Board Order, any successor committee shall be considered, for assessment purposes, as not having violated Section 9-10 if it is assessed no other penalty.

Andy Nauman – Hearing Officer

February 28, 2012

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141

Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

Fax: 312/814-6485



ID# 20287

BOARD MEMBERS William M. McGuffage, Chairman Jesse R. Smart, Vice Chairman Harold D. Byers Bety J. Coffrin Ernest L. Gowen Judith C. Rice Bryan A. Schneider Charles W. Scholz

Friends of Arnold R Crater Amold Crater 1325 Central Park Ave Flossmoor, IL 60422-4339

Dear Friends of Arnold R Crater:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Quarterly Report of Campaign Contribution and Expenditures

Report Period: July 1, 2011 through September 30, 2011 Filing Period: October 3, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code. it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on November 8, 2011, 16 days late. As such, this committee has been assessed a fine of \$400.

Enclosed, please find the Section 125,425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, vou may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

- Mand pl. ca If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely.

Sharon Steward, Director,

Campaign Disclosure Division

SS: jr

State of Illinois)	STATE BOARD OF ELECTIONS
County of)	11 DEC 19 AM 9:31
	the state of the s	E BOARD OF ELECTIONS ATE OF ILLINOIS
IN THE MATTER OF	;)
ILLINOIS STATE BO	OARD OF ELECTIONS,	
Compla	inant))
Vs.) Case No. 15Q 083
Friends of Ar. 20287 Respond	nold R. Crater dent(s).)))
1	APPEA	L AFFIDAVIT
I. Hrnold k (Name)	. Crater, the	Chairman + Treasurer of the (Chairman/Treasurer)
Friends	of Arno	1d R. Crater
		f the Committee)
	on or defense to the asse	d states that he/she represents that the said committee essment of a civil penalty in this matter, and that such
1. Was not a	able to file via	a paper + new electronic filing
		ous electronic filing by technician
to enable fi	ling.	
2. 1 am no 1	longer on Flos	smoor school dist. 161, as of April 2011 collected any financial contribution
		collected any financial contribution
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Signed and Sworn to by	y: /	
before me this 12	Day of	mille wale
December.		(Signature of Chairman/Treasurer)
Notary Public Notary Public	OFFICIAL SEAL BRENDA BAZAN NOTARY PUBLIC - STATE OF ILLINOIS	
}	MY COMMISSION EXPIRES:04/13/14	} 134

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

V.

Complainant

11 SQ 098

Harper College Adjunct Faculty Assoc

ID# 20930

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing the September 2011Quarterly Report

The Report was received by the Board on October 24, 2011, 5 days late, resulting in a civil penalty assessment of \$125.

Robert Alexander, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Alexander states that he was not alerted in a timely fashion by our E-mail notification to send the Report on paper. The D-2 was sent overnight on October 20, 2011 via Express mail but there was no authorized recipient available to receive it in our office on October 21, 2011. He also states that he had recently undergone an operation.

The Committee was sent an email notification on August 29, 2011. This was a timely notification to file the Report. Since the committee did overnight the Report via Express mail and there was not an authorized recipient available on October 21, 2011 the committee should be credited with one business day, making the Report 4 days late, and reducing the assessed penalty to \$100. I recommend the appeal be denied for lack of an adequate defense. As a first violation, the penalty is stayed. (As of 9/30/11, this Committee reported a funds available balance of \$4,892,70.)

Kim Patrick – Hearing Officer February 23, 2012

KimPatrick

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601

312/814-6440 Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011

ID# 20930

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Harper College Adjunct Faculty Assoc Ilona Sala 1477 RFD Meadowlark Drive Long Grove, IL 60047

Dear Harper College Adjunct Faculty Assoc:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Quarterly Report of Campaign Contributions and Expenditures

Report Period: July 1, 2011 through September 30, 2011 Filing Period: October 3, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on October 24, 2011, 5 days late. As such, this committee has been assessed a fine of \$125.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore**, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

MANA I

Sincerely,

Director, Campaign Disclosure Division

SS: jr

State of Illinois)	STATE BUARD OF THE OTIONS
County of Cock)	11 DEC 29 PH 12: 08
BEFORE THE STATE BOAF OF THE STATE OF	· · · -
IN THE MATTER OF;)	
ILLINOIS STATE BOARD OF ELECTIONS,)	
Complainant)	
arper College Adjust Faculty Against Respondent(s).	Case No. 11 SQ 098
APPEAL AFFIE	DAVIT
1. Robert Hexander, the Two	Chairman/Treasurer) (Chairman/Treasurer) (Chairman/Treasurer)
Committee, first being duly sworn, deposes and states to can offer a good reason or defense to the assessment of reasons and defenses are:	f a civil penalty in this matter, and that such
- 111 C	timely tustice dandling for
Filing the V-2 form as I had	the superdies deadline to copy of veguested the previous quarter artached and a children was attempted on interferent
2. The V2 firm was sent on whihi No authorized recipient was	and a chivery mes attempted on ichili
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before me this $\frac{2}{3}$ Day of	gnature of Chairman/Treasurer)
Notary Public OFFICIAL SEAL M ASHRAF MEGHANI Notary Public - State of Illinois My Commission Expires Aug 31	

Committee ID # 20930	
/ committee name /	agrees that all future report notifications OU. COM rather than sent by U.S. Postal
This e-mail notification shall serve as the official notification and	no notifications or forms will be sent by regular mail.
1. Robert Hexarder	, as
Name	
treasurer	of this committee agree that this e-mail notification
candidate/treasurer/chairman	
shall be received from the State Board of Elections in lieu of no understand that all other informational materials from the Board address.	
Yes, I would like to receive e-mail report notifications.	
lunderstand that I will no longer receive notifications by U.S. Po	stal Service mail.
Name Robert Alexana	la r
Position Transver Ho	AFA
E-mail Address thatex 6	16 A yahoo, com



Track/Confirm - Intranet Item Inquiry - Domestic

Tracking Label: EI16 2151 710U S

DestinationZIP Code: 62708-4187City: SPRINGFIELDState: ILOriginZIP Code: 60005-9998City: ARLINGTON HEIGHTSState: IL

Class/Service: Express Mail PO-Add

Service Calculation Information

Service Performance Date

Guaranteed Delivery Date / Time: 10/21/2011 12:00

Weight: 0 lb(s) 2 oz(s) Postage: \$16.15

Zone: 03

Delivery Option Indicator: Normal Delivery **PO Box?:** N

Rate Indicator: EXPRESS MAIL PO TO ADDRESSEE

Event	Date/Time	Location	Scanner ID
DELIVERED	10/24/2011 08:17	SPRINGFIELD, IL 62703	POS4160605
	Input Method: Scanned		
	Finance Number: 167416		
	Recipient: 'R TURNER'		
	Request Delivery Record		
	View Delivery Signature and Address		
NO AUTHORIZED RECIPIENT AVAILABLE	10/21/2011 09:56	SPRINGFIELD, IL 62708	030SHL7004
	Input Method: Scanned		
ARRIVAL AT UNIT	10/21/2011 09:28	SPRINGFIELD, IL 62703	030SHLA997
	Input Method: Scanned		
ENROLITE/PROCESSED	10/20/2011 19:57	CHICAGO, IL 60701	PSS-001-8019
	Input Method: Scanned		
ACCEPT OR PICKUP	10/20/2011 08:59	ARLINGTON HEIGHTS, IL 60005	
	Input Method: Scanned		
	Finance Number: 160282		

Enter Request Type and Item Number:

Quick Search • Extensive Search C

STATE OF ILLINOIS COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

Vs. 11 MA 064

Rotheimer for Lake County Board (21282)

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of the 2009 June Semi-Annual Report
Delinquent Filing of the 2009 December Semi-Annual Report
Delinquent Filing of the 2010 June Semi-Annual Report
Delinquent Filing of the 2010 December Semi-Annual Report
Delinquent Filing of the 1st 2011 Quarterly Report

The 2009 June Semi-Annual Report was received on July 15, 2011, 497 days late, resulting in a \$5,000 civil penalty assessment. The 2009 December Semi-Annual Report was received on July 15, 2011, 373 days late, resulting in a \$5,000 civil penalty assessment. The 2010 June Semi-Annual Report was received on July 15, 2011, 247 days late, resulting in a \$5,000 civil penalty assessment. The 2010 December Semi-Annual Report was received on July 15, 2011, 122 days late, resulting in a \$5,000 civil penalty assessment. The 1st 2011 Quarterly Report was received on July 15, 2011, 40 days late, resulting in a \$3,000 civil penalty assessment. The total assessment is \$23,000.

Denise Rotheimer and Quenton Galvin appeared on October 25, 2011 appeal hearing.

Denise Rotheimer was a self-funded candidate for the Lake County Board in 2008. After losing the election, Rotheimer claims no further financial activity took place and the committee was closed. Quenton Galvin, information technical assistant for the Committee, was unable to properly install SQL server using Windows 2007. Beyond installation issues, certain record keeping errors prevented the committee from completing and filing a final report. The committee could not file a final report because of missing information on receipts and errors in input that resulted in an incorrect ending balance. Lastly, Rotheimer asserted all notices sent by the Board went to an address in Barrington, although she resides in Engleside (See notice, Respondents Exhibit 1).

Respondent's defense is insufficient. Ceasing financial activity does not relieve committees of their filing responsibilities unless a final report has been submitted. The issue of SQL server installation is irrelevant to all delinquent Semi-Annual Reports since the reports were due prior to IDIS v. 2.0's release and only IDIS v. 1 was available. Waiting until IDIS v. 2.0 had to be used is only further evidence the committee failed to file in a punctual manner. Management of financial data is an internal duty of committees operation. Should a committee mishandle their records and fail to file a report they are subject to penalties. It is not the Board's duty to supervise interior issues of political committees. Notices were sent to the address associated with the committee as officially declared on their D-1 Statement of Organization. Should that address change, the Respondent is required to file an amended D-1 or indicate

an address change on a D-2. The Committee's last known address was retrieved from the most recent filed report which reflected an address located in Barrington. (See Complainant's Exhibit 1). I recommend the appeal is denied. If the Board accepts this recommendation, the total assessment of \$23,000 will be due. However, since the Committee has filed a Final Report, I further recommend that should the Committee remain dissolved for a period of 2 years following the date of the Final Order imposing the penalty, the fine be abated. (As of 9/30/11, this committee reported a funds available balance of \$0.00)

Tara Molnar - Hearing Officer

November 7, 2011

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601

312/814-6440 Fax: 312/814-6485



BOARD MEMBERS Bryan A. Schneider, Chairman Wanda L. Rednour, Vice Chairman Patrick A. Brady John R. Keith William M. McGuffage Albert S. Porter Jesse R. Smart Robert J. Walters

Rotheimer for Lake County Board 34955 N Augustana Ave Barrington, IL 60041-9556

ID# 21282

Dear Rotheimer for Lake County Board:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Semiannual Report of Campaign Contributions and Expenditures

Report Period:

January 1, 2009 through June 30, 2009 July 1, 2009 through July 20, 2009

Filing Period:

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:

Semiannual Report of Campaign Contributions and Expenditures

Report Period:

July 1, 2009 through December 31, 2009

Filing Period:

January 1, 2010 through January 20, 2010

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on July 15, 2011, 373 day(s) late. As such, this committee has been assessed a fine of \$5000.

received by the Board on July 15, 2011, 497 day(s) late. As such, this committee has been assessed a fine of \$5000.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:

Semiannual Report of Campaign Contributions and Expenditures

Report Period:

January 1, 2010 through June 30, 2010

Filing Period:

July 1, 2010 through July 20, 2010

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on July 15, 2011, 247 day(s) late. As such, this committee has been assessed a fine of \$5000.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:

Semiannual Report of Campaign Contributions and Expenditures

Report Period:

July 1, 2010 through December 31, 2010

Filing Period:

January 1, 2011 through January 20, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on July 15, 2011, 122 day(s) late. As such, this committee has been assessed a fine of \$5000.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contributions and Expenditures

Report Period:

January 1, 2011 through March 31, 2011

Filing Period:

April 1, 2011 through April 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on July 15, 2011, 40 day(s) late. As such, this committee has been assessed a fine of \$3000.

Enclosed please find Section 125.425 <u>Civil Penalty Assessments</u> and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward

Director, Campaign Disclosure Division

SS: jr

Enclosure(s): appeal packet

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 TTY: 217/782-1518 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440 TTY: 312/814-6431 Fax: 312/814-6485



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Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

Rotheimer for Lake County Board 34955 N Augustana Ave Barrington, H., 60041 June 20, 2011

Re: Electronic Edling (ID# 21282)

Dear Committee:

Thank you for filing a Quarterly Report (1.1/11 - 3/31/11) with us. However, please be advised that under the Campaign Disclosure Act, your committee is required to file its reports electronically. The act states:

Beginning July 1, 2003, electronic filing is required for all political committees that during the reporting period (it had at any time a balance or an accumulation of contributions of \$10,000 or more air made aggregate expenditures of \$10,000 or more, or (iii) received loans of an aggregate of \$10,000 or more."

Because your committee exceeded the \$10,000 threshold, it is required to file its reports electronically. Electronic filing software is available free of charge at the State Board of Electrons website at heavy giestions. It is not by contacting us at (217) 782-4141. Technical support in using the software is similarly available.

Your committee's report must be re-filed electronically within 30 days of this notice. If the report is re-filed by July 20, 2011, it will still be treated as a late filing, but the date the paper report was received by the Board will be considered the filing date. If the report is not re-filed by July 20, 2011, the paper report will be considered as never having been filed and the penalty for late filing will accrue from the date of the filing deadline.

This letter serves as your committee's written warning, under Section 100.150 of the Board's Rules and Regulations, that your committee's reports must be filed electronically. In the future, reports from your committee will not be considered filed until they are filed electronically. A paper report will be considered as never having been filed (regardless of whether it is submitted on or before the filing deadline) and penalties for late filing will accrue from the date of the filing deadline.

If you have any questions or if you need assistance please contact the Campaign Disclosure Division at (217) 782-4141.

Singerely,

Sharon Steward, Director

Division of Campaign Disclosure

BESPONEUM EXHIBIT I

STATE OF ILLINOIS COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

Vs. 11 SQ 247

Rotheimer for Lake County Board 21282
Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of The September 2011 Quarterly Report

The Report was received by the Board on November 23, 2011, 26 days late, resulting in a civil penalty assessment of \$1,300. In addition, this Committee had previously been assessed a \$5,000 civil penalty (appealed, scheduled for March 2012 agenda) for delinquently filing the June 2009 Semi-Annual Report; a \$5,000 civil penalty (appealed, scheduled for March 2012 agenda) for delinquently filing the December 2009 Semi-Annual Report; a \$5,000 civil penalty (appealed, scheduled for March 2012 agenda) for delinquently filing the June 2010 Semi-Annual Report; a \$5,000 civil penalty (appealed, scheduled for March 2012 agenda) for delinquently filing the December 2010 Semi-Annual Report; and a \$3,000 civil penalty (appealed, scheduled for March 2012 agenda) for delinquently filing the March 2011 Quarterly Report. The Total for this assessment only is \$1,300.

Denise Rotheimer, the candidate and treasurer, appeared at the February 15 appeal hearing.

Denise Rotheimer indicated that she primarily self-funded her candidacy for the Lake County Board in 2008. She ran into many problems while trying to work with the IDIS program that she believes is not user friendly, although she did indicate she is not a computer person. She lost the election in 2008 and indicated she had no further activity after the election and the Committee was closed. The problem was she could not close the Committee in the IDIS program for the program indicated that she still had funds when the account was closed. She indicated that she was not trying to abuse the system and she had informed the State Board of Election over the years many times that she just needed to file amendments. She indicated that she did not receive enough assistance from staff in her attempt to file the reports and she worked with a couple different people trying to resolve the matter over the years.

Denise Rotheimer indicated that she had problems with the IDIS program. However I do not believe that is the reason the report was delinquent. The IDIS program she would have been using at that time allowed the user to file a Final Report even if there were funds remaining; therefore, the program was not responsible for her failure to file a Final Report in 2008. It appears that the Committee's record keeping and diligence in correcting prior errors were to blame for this report being delinquent. This Committee filed the December 2008 Semi-Annual Report on 1/20/09 and reported that they had an ending balance of \$10.173.00. The Committee then failed to file another report beyond Nonparticipation Reports until 6/13/11. On 6/13/11 the Committee filed the March 2011 Quarterly Report showing a balance of \$10,173. The Committee then filed amended reports and filed some delinquent reports on 7/15/11 that indicated the Committee had a balance of \$3,106.85 as of 6/30/11. The Committee then again amended all of the reports again on 11/23/11 and reported a \$0 balance going back to 12/31/08. By the time the Committee filed the amended reports on 11/23/11 they were delinquent in filing the September 2011 Quarterly Report for which this appeal is for. The Committee then subsequently filed a Final Report closing the Committee on 12/2/11. If the Committee would have potentially kept better records and/or amended the reports in a more timely fashion and filed a Final Report to end their filing obligations then they would

not have been assessed this fine. However, the Committee did not file a Final Report until 12/2/11 and therefore they would have had a filing obligation to file the September 2011 Quarterly Report and I recommend the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board the amount of \$1,300 will be due and owing for this assessment only if the appeal filed for the remaining assessments is denied. If the appeal for the remaining assessments is granted, the \$1,300 civil penalty will be stayed. The fines associated with the June 2009, December 2009, June 2010, December 2010 Semi-Annual Reports as well as the March and June 2011 Quarterly Reports are separate fines that will be in front of the Board in a separate hearing officer report. However, since the Committee has filed a Final Report, I further recommend that should the Committee remain dissolved for a period of two years following the date of the Final Order imposing the fine, the fine be abated.

Andy Nauman – Hearing Officer

February 28, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100

312/814-6440 Fax: 312/814-6485

Chicago Illinois 60601



EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011

ID# 21282

BOARD MEMBERS
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Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Rotheimer for Lake County Board 34955 N Augustana Ave Barrington, IL 60041-9556

Dear Rotheimer for Lake County Board:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contribution and Expenditures

Report Period: Filing Period:

July 1, 2011 through September 31, 2011 October 3, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on November 23, 2011, 26 days late. As such, this committee has been assessed a fine of \$1300.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4 you forfeit the right to contest this assessment.

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
January 1 through March 31, 2011	Quarterly	\$3000
TOTAL AMO	OUNT NOW DUE	\$4300 24,3c

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward, Director, Campaign Disclosure Division

SS: jr

Enclosure(s): appeal packet

	State of Illinois) County of	STATE BOARD OF ELECTIONS 12 JAN -5 AM II: 42
	BEFORE THE STATE BOARD OF ELECTIONS OF THE STATE OF ILLINOIS	
	IN THE MATTER OF; ILLINOIS STATE BOARD OF ELECTIONS, Complainant Vs. () () () () () () () () () (247
21	Respondent(s). Case No. 1100 Respondent(s).	
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	Committee. first being duly sworn, deposes and states that he/she represents can offer a good reason or defense to the assessment of a civil penalty in the reasons and defenses are: Committee had no archivity selection and worked to close come election and worked to close come technical issues that were finally selections and issues that were finally selections.	is matter, and that such
R	Signed and Sworn to by: Signed and Sworn to by:	locar reasurer)

"OFFICIAL SEAL"

KARIN E. JONES

Notary Public Commissis

My Commissi 3-14

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STATE OF ILLINOIS COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. 11 MA 117

Friends of Maureen Kelly

ID# 22377

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of the March 2011 Quarterly Report and the June 2011 Quarterly Report

The March Quarterly Report was received by the Board on September 23, 2011, 113 days late, resulting in a civil penalty assessment of \$2,825. The June Quarterly Report was also received by the Board on September 23, 2011, 50 days late, resulting in a civil penalty assessment of \$2,500. The total assessment is \$5,325.

John Kelly, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Kelly states that the Committee had not been active for a long period of time, and the person who had helped with the paperwork was no longer involved. He adds that the Committee stopped using its lock box for mail, and was therefore unaware of the new filing dates for quarterly reports. Mr. Kelly also states that the Committee has disbursed its remaining funds and has a zero balance.

Lack of activity does not excuse a Committee from its reporting requirements. If the Committee wishes to end its disclosure obligations, it should file a Final Report. I recommend the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board, the civil penalty of \$5,325 will be due and owing. However, the Committee should be aware that if it does file a Final Report and then remains out of existence for two years following the date of the Final Board Order in this case, the fine would be abated. (As of 12/31/11, this Committee reported a funds available balance of \$0.)

Tom Newman – Hearing Officer

March 6, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440 Fax: 312/814-6485



BOARD MEMBERS
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Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011

Friends of Maureen Kelly ID# 22377 John, Kelly, Kacev Kelly

John. Kelly, Kacey Kelly 10230 S Bell Chicago, IL 60643

Dear Friends of Maureen Kelly:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contributions and Expenditures

Report Period:

January 1, 2011 through March 31, 2011

Filing Period:

April 1, 2011 through April 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on September 23, 2011, 113 day(s) late. As such, this committee has been assessed a fine of \$2825.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contribution and Expenditures

Report Period:

April 1, 2011 through June 30, 2011

Filing Period:

July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on September 23, 2011, 50 day(s) late. As such, this committee has been assessed a fine of \$2500. The total for all new assessments is \$5325.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by American Express, MasterCard, or Discover.

CHICAGO 11 000 00 PH 12: 27 State of Illinois STATE BOARD OF ELECTIONS County of BEFORE THE STATE BOARD OF ELECTIONS OF THE STATE OF ILLINOIS IN THE MATTER OF: ILLINOIS STATE BOARD OF ELECTIONS. Complainant Vs. FRIENDS OF MAUREEN KELLY Respondent(s). APPEAL AFFIDAVIT I. JOHN KELLY the some they CHAIRMAN of the (Name) (Chairman/Treasurer) FRIENDS OF MAUREEN KELLY (Name of the Committee) Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are: THE COMMITTEE HAD NOT BEEN ACTIVE FOR A LONG PERIOD. THE PERSON WHO HELPED WITH THE COMMITTEE PAPERWORK WAS NO LONGER INVOLVED. IN ADDITION THE CONMITTEE STOPPED USING THE LOCK BOX FOR MAIL AND WAS UNAWARE OF THE NEW FILING DATES, THE COMMITTEE HAS DISBURSED ALL FUNDS AND HAS A ZENC BALANCE

Signed and Sworn to by:

JOHN E KELLY

before me this 30 Day of

Day of

Lo and L Heaves

(Signature of Chairman/Treasurer)

Notary Public

OFFICIAL ST WANDA GEA Notary Public - Sta 151 My Commission Expire

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. 11 AM 127

Carol for Chicago

ID# 22987

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of Schedule A-1 Reports

Between January 26, 2011 and February 22, 2011, the Committee received a total of 76 contributions of \$1,000 or more, totaling \$173,700 in all, but failed to report any of these on a Schedule A-1, resulting in a civil penalty assessment of \$86,850. In addition, the Committee had previously been assessed a \$750 civil penalty (not appealed, unpaid) for delinquently filing another Schedule A-1 in the first quarter of 2011. The total assessment is \$87,600.

Marietta Bailey, the Treasurer of the Committee, filed a Request for Hearing, and submitted on the Appeal Affidavit and at the hearing held on October 26, 2011 the following:

The Candidate, Carol Moseley Braun, was also present for the hearing. She and Ms. Bailey indicated that a lack of available financial records related to a problem with the previous Committee Treasurer left them unable to verify the accuracy of the contributions in question. Ms. Bailey stated that the previous Treasurer, Billie Paige, resigned in April of 2011, but did not pass along the Committee's financial files and records, nor did she verify the accuracy of reports filed during her tenure. Ms. Bailey said efforts to recreate the financial history of the campaign were complicated by the fact that neither she nor the candidate were signatories on the campaign bank account or credit eard. Ms. Bailey asked for additional time, to December 1st, to obtain the Committee's financial information.

The Committee was granted the extension to December 1st, but was unable to meet that deadline. After contacting the Committee in late December, the Candidate, Carol Moseley Braun, asked for an additional 30-day extension, but in a letter submitted on January 12, 2012, increased that request to 60-days, asking for a March 5 deadline to submit a revised D-2 filing. As of that date, the Committee had not filed any amended reports or sufficiently explained the lack of A-1 filings. I therefore recommend the appeal be denied for lack of an adequate defense. However, since there is no proof that the violations were anything other than inadvertent and unintentional, and since this is the first reporting period in which the Committee had A-1 violations. I further recommend the civil penalty be reduced to 10% of the original assessed amount, or \$8,685. If these recommendations are accepted by the Board, the civil penalty of \$9.435 would be due and owing. However, since the Committee filed a Final Report (on 7/15/11). I also recommend that should the Committee remain dissolved for a period of two years from the date of the Board order imposing the penalty, the fine be abated. (As of 7/15/11, this Committee reported a funds available balance of \$0.)

Tom Newman – Hearing Officer

March 5, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440 Fax: 312/814-6485



ID# 22987

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Carol for Chicago Marietta Bailey 8243 S. Richmond St Chicago, IL 60652

Dear Carol for Chicago:

Dear Carol for Chicago:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of

\$1000 or more as required by the Illinois Campaign Disclosure Act:

Contributed By	Date of Contribution	<u>Fine</u> As <u>sessed</u>	Amount of Contribution	Date A-1 Received	<u>Days</u> Late
	Contribution	Assesseu	Controunon		
Charles Walls	1/26/2011	\$500	\$1,000	*	52
Harold T Rye	1/26/2011	\$2,500	\$5,000	*	52
John Clark	1/26/2011	\$2,500	\$5,000	*	52
Carl Masters	1/27/2011	\$1,500	\$3,000	*	51
Danny Davis	1/27/2011	\$500	\$1,000	*	51
Donald Payne	1/27/2011	\$500	\$1,000	*	51
People Helping People	1/27/2011	\$1,000	\$2.000	*	51
Wm. Lacy Clay Clay Jr. For Congress	1/27/2011	\$500	\$1,000	*	51
Cecil C Butler	1/31/2011	\$2,500	\$5,000	*	49
Nancy Loeb	1/31/2011	\$500	\$1,000	*	49
Community Venture Investment Corp.	2/1/2011	\$500	\$1,000	*	48
Geroge Paige	2/1/2011	\$2,500	\$5,000	*	48
John Miller	2/1/2011	\$600	\$1.200	*	48
Madeleine Burrell	2/1/2011	\$1,000	\$2,000	*	48
Peter Borges	2/1/2011	\$500	\$1,000	*	48

Contributed By	Date of Contribution	Fine Assessed	Amount of Contribution	Date A-1 Received	Days Late
Quintin E Primo III	2/1/2011	\$2,500	\$5,000	*	48
Suraj Aggarwal	2/1/2011	\$500	\$1,000	*	48
c/o Cleo Fields	2/3/2011	\$500	\$1.000	*	46
Edward A Wisham	2/3/2011	\$500	\$1.000	*	46
Ann McMillan	2/7/2011	\$500	\$1,000	*	44
Anna Voortman	2/7/2011	\$500	\$1,000	*	44
Barbara L Bowles	2/7/2011	\$500	\$1,000	*	44
Byron E Lewis	2/7/2011	\$750	\$1,500	*	44
Craig S Johnson	2/7/2011	\$500	\$1,000	*	44
Dan K Webb	2/7/2011	\$2,500	\$5,000	*	44
Daniel G Kaye	2/7/2011	\$500	\$1,000	*	44
Daniel L Cullen	2/7/2011	\$500	\$1,000	*	44
Demetrios G Logothetis	2/7/2011	\$500	\$1,000	*	44
Donald Saltz	2/7/2011	\$500	\$1,000	*	44
Eileen K Rhodes	2/7/2011	\$2,500	\$5,000	*	44
Elaine McIntosh	2/7/2011	\$500	\$1,000	*	44
Elaine McIntosh	2/7/2011	\$500	\$1,000	*	44
John T Larounis	2/7/2011	\$500	\$1,000	*	44
Lee E Harkleroad.III	2/7/2011	\$500	\$1,000	*	44
Maribeth M McEleveen	2/7/2011	\$500	\$1,000	*	44
Mark R Ericksen	2/7/2011	\$1,000	\$2,000	*	44
Mary Pat Follett	2/7/2011	\$500	\$1,000	*	44
NNC Inc	2/7/2011	\$3,500	\$7,000	*	44
No Name/2112 E 71st St. Chicago, IL	2/7/2011	\$2,500	\$5,000	*	44
Paul Green	2/7/2011	\$500	\$1,000	*	44
Peter Griffin	2/7/2011	\$500	\$1,000	*	_44
S&G Construction Group Inc	2/7/2011	\$500	\$1.000	*	44
Stacey, Feeley & Cavanagh	2/7/2011	\$500	\$1,000	*	44
United Communities of Chicago PAC	154 2011	\$12,500	\$25,000	*	44

Contributed By	Date of Contribution	<u>Fine</u> <u>Assessed</u>	Amount of Contribution	<u>Date A-1</u> <u>Received</u>	<u>Davs</u> <u>Late</u>
William E Zopp	2/7/2011	\$500	\$1,000	*	44
Fortunee Massuda	2/8/2011	\$500	\$1,000	*	43
Gerald W Shea	2/9/2011	\$750	\$1,500	*	42
Joseph Caldwell	2/9/2011	\$1,000	\$2,000	*	42
William Laws	2/11/2011	\$500	\$1,000	*	41
Naqi Sayed Ali	2/14/2011	\$1,000	\$2,000	*	40
No Name/ 5202 W 70th Place, Chicago, IL	2/14/2011	\$2,000	\$4,000	*	40
Beverly Mills	2/16/2011	\$500	\$1,000	*	38
Clay for Congress	2/16/2011	\$2,000	\$4,000	*	38
Karen Bass for Congress	2/16/2011	\$500	\$1,000	*	38
Mark E Tisdahl	2/16/2011	\$500	\$1,000	*	38
Akhtar Ali	2/17/2011	\$500	\$1,000	*	37
Carol Stream Gasoline	2/17/2011	\$500	\$1,000	*	37
Hon. Al Green	2/17/2011	\$500	\$1,000	*	37
Hon. Donna Christensen	2/17/2011	\$500	\$1,000	*	37
Hon. Ed Towns	2/17/2011	\$500	\$1,000	*	37
Mubarak Ali Mirjat	2/17/2011	\$500	\$1,000	*	37
Hon. James T Meeks	2/21/2011	\$2,500	\$5,000	*	36
John M Clark, Jr	2/21/2011	\$500	\$1,000	*	36
Mr. Muhammad Akhtar	2/21/2011	\$1,000	\$2,000	*	36
Mr. Patrick Roche	2/21/2011	\$500	\$1,000	*	36
Mr. Rashid Chandary	2/21/2011	\$5,000	\$10,000	*	36
Ms. Christine K Mandala	2/21/2011	\$750	\$1,500	*	36
Samuel C Scott	2/21/2011	\$500	\$1,000	*	36
Antoinette Cook Bush	2/22/2011	\$500	\$1,000	*	32
Carole Joy Butler	2/22/2011	\$1,000	\$2,000	*	32
Dr. Mohammad Al-Khudari	2/22/2011	\$2,500	\$5,000	*	32
Environmental Design International, Inc	2/22/2011	\$500	\$1,000	*	32

13,700

Contributed By	Date of	<u>Fine</u>	Amount of	Date A-1	Days
<u>communication</u>	<u>Contribution</u>	<u>Assessed</u>	<u>Contribution</u>	Received	Late
Francis Ihejirika	2/22/2011	\$1,000	\$2,000	*	32
Krista Rivers	2/22/2011	\$500	\$1,000	*	32
Martin H Nesbitt	2/22/2011	\$1,000	\$2,000	*	32
Ronald Gault	2/22/2011	\$500	\$1,000	*	32

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$86850 for delinquently filing Schedule A-1 reports. This total *does not* reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$8685, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
January 1 through March 31, 2011	Schedule A-1	\$750
TOTAL AMOUNT NOW DUE		\$9435

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704.

If you have any questions regarding the appeal procedure, please call Jennifer Ronimous at 217-782-1543.

marin 1

Director, Campaign Disclosure Division

SS: jr

Enclosures: appeal packet

^{*} This contribution was reported on the March Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

State of Illinois

County of Cook

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;

Complainant

Case No. 11 AM 12

APPEAL AFFIDAVIT

I, Marietta Bailey, the Treasurer of the Carol for Chicago Committee, state as follows:

The committee has received notifications dated June 3, June 15, and June 30, 2011, from the Commission, concerning certain campaign disclosures. I became Treasurer upon notification to the Commission on April 15, 2011. I was not the Treasurer during the period January 6-24 or January 26-February 22, 2011, nor did I have any information concerning the management of the Committee's finances or disclosure responsibilities. We are in the process of making due inquiry of the former Treasurer to determine why the reports were not timely filed, or what gave rise to the discrepancies noted.

Signed and Sworn to by:

νs.

Marietta Bailey

Before me this _ 27 11 day

CAROL FOR CHICAGO - 22987-02

Notary Public

County of Cook

State of Illinois

OFFICIAL SEAL
DIANE MOSELEY
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:10/14/13

157

STATE OF ILLINOIS COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. 11 MA 124

Friends of Dan Wright

ID# 23235

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of the June 2011 Quarterly Report and the September 2011 Quarterly Report

The June 2011 Quarterly Report was received by the Board on October 18, 2011, 29 days late, resulting in a civil penalty assessment of \$1,725. The September 2011 Quarterly Report was received by the Board on October 21, 2011, 5 days late, resulting in a civil penalty assessment of \$250. The total assessment is \$1,975.

Dan Wright, the Chairman of the Committee, filed a Request for Hearing, and submitted on the Appeal Affidavit and at the hearing held on February 22, 2012 the following:

At the hearing, Mr. Wright stated that the late filings were primarily the result of technical problems he encountered using the IDIS electronic filing software. Mr. Wright indicated he attempted to file the June Quarterly Report on the due date, but was unable to do so because of a problem with the "sql server" component of the IDIS program. He said ultimately, it took assistance from several staff members and multiple visits to the Board's offices to resolve the problem, enter his financial data and get both quarterly reports filed. Mr. Wright stressed that the delay in filing was not the result of any willful or negligent conduct on his part, but a consequence of work scheduling issues and family obligations that prevented him from quickly seeking the assistance he required.

The Committee's difficulties in regards to electronic filing are well-documented. Board records show at least one service request and numerous e-mails between Mr. Wright and Board staff regarding a number of filing issues. So under ordinary circumstances, an electronic filing defense would seem to be in order. However, I cannot ignore the fact that for whatever reason, three months elapsed between the time of the initial attempt to file the first Report and the date it was eventually filed successfully. This seems to belie Mr. Wright's claim that he was diligent in trying to resolve the problems and get the Reports filed. I therefore must recommend the appeal be denied for both late Reports. If this recommendation is accepted by the Board, the \$1,975 penalty would be due and owing. However, since the Committee has filed a Final Report, I also recommend that should the Committee remain dissolved for a period of two years following the Board order imposing the fine, the fine be abated. (As of 10/21/11, this Committee reported a funds available balance of \$0.)

Tom Newman – Hearing Officer

March 5, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.D. Box 4187 Springfield, Illinois 62708 217/782-4141

Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

Fax: 312/814-6485



BOARD MEMBERS William M. McGuffage, Chairman Jesse R. Smart, Vice Chairman Harold D. Byers Bety J. Coffrin Ernest L. Gowen Judith C. Rice Bryan A. Schneider Charles W. Scholz

December 5, 2011

Friends of Dan Wright Charles Davis 712 Fayette Ave Springfield, IL 62704

ID# 23235

Dear Friends of Dan Wright:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Quarterly Report of Campaign Contributions and Expenditures Report Type:

April 1, 2011 through June 30, 2011 Report Period: July 1, 2011 through July 15, 2011 Filing Period:

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on October 18, 2011, 69 day(s) late. As such, this committee has been assessed a fine of \$1725.

In addition, this committee failed to file the following documents during the requisite filing period:

Quarterly Report of Campaign Contribution and Expenditures Report Type:

Report Period: July 1, 2011 through September 30, 2011 Filing Period: October 3, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on October 21, 2011, 5 day(s) late. As such, this committee has been assessed a fine of \$250. The total for all new assessments is \$1975.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by American Express, MasterCard, or Discover.

> www. 159 IOV

State of Illinois County of Sangar)) non)		STATE SCARD OF FIRSTIONS 11 PEC 20 PM 2: 34
	BEFORE THE STATE B OF THE STATE		
IN THE MATTER ILLINOIS STATE vs. FRIENDS OF DA 23235	E BOARD OF ELECTIONS, Complainant		Case No. 11MA 124
	ADDEALAI	יארווםם	VIT

APPEAL AFFIDAVII

I, Daniel K. Wright, Chairman of the Friends of Dan Wright Committee, first being duly sworn, depose and state that I represent that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are as follows:

Timely filing was attempted repeatedly in good faith, but was unsuccessful due to technical problems with the "sql server," a component of the State Board of Elections ("SBE") IDIS Campaign Finance Disclosure program. I corresponded by e-mail and telephone with SBE information technology staff member, Adam Hager, to resolve the issue, without success. Ultimately, I worked with SBE Campaign Disclosure staff member, Tom Newman, to complete the outstanding quarterly and final reports for Friends of Dan Wright and made numerous visits to the Springfield SBE office to complete the data entry and filing process as a result of the technical issues with the SBE server. The foregoing SBE staff members were extremely helpful and I worked with them to resolve all issues as quickly as possible under the circumstances. The reports were untimely filed not as a result of negligent or willful conduct, but solely as a result of computer issues and problems with the "sql server" as explained by SBE staff. I respectfully request that the proposed assessments be waived and the matter dismissed.

Signed and Sworn to by:

Friends of Daniel K. Wright,

Notary Public

before me this

OFFICIAL SEAL KRISTINA LEIGH MILLER NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 4-19-2015

別 Day of

Newman, Tom

F	rom:	
S	ent:	

Daniel K. Wright [dwright@bhslaw.com] Wednesday, September 14, 2011 12:48 PM

To:

Newman, Tom

Subject:

RE: SQL 2008 Manual Install Instructions

Tom,

The last couple of months have been extremely busy at the office and my schedule has been prohibitive in respect to setting aside substantial time to visit the SBE office.

I really need to take care of the outstanding reports for the Go Griswold Committee and Friends of Dan Wright and think the best approach is to just make these final reports for both. Is the best option for me just to bring all of the filing information and my computer to the office and file it on an SBE computer with your assistance some afternoon? I apologize for the delay in resolving these issues, but really am surprised at the consistent technical problems we have encountered when attempting to comply in good faith with all deadlines. I don't want to waste your time or mine, but appreciate the need to get these filed as soon as possible.

Let me know at your convenience.

Thanks for your help.

Dan

From: Newman, Tom [mailto:TNewman@elections.il.gov]

Sent: Tuesday, August 16, 2011 9:04 AM

To: Daniel K. Wright

Subject: RE: SQL 2008 Manual Install Instructions

There's a board meeting today, so I'll be in and out a lot...any other day this week looks fine.

Tom

From: Daniel K. Wright [mailto:dwright@bhslaw.com]

Sent: Monday, August 15, 2011 5:38 PM

To: Newman, Tom

Subject: FW: SQL 2008 Manual Install Instructions

Tom,

I have corresponded with the IT department and we have hit an apparent road block. Is there a time that might be convenient for you to discuss the status and what I can do to wrap these reports up in a manner satisfactory to SBE?

Both Committees will be terminated prior to the next reporting period if that makes any difference.

Please let me know at your earliest convenience.

Thanks.

Dan

From: Hager, Adam [mailto:AHager@elections.il.gov]

Sent: Thursday, August 04, 2011 2:45 PM

To: Daniel K. Wright

Subject: RE: SQL 2008 Manual Install Instructions

Dan,

In regards to setting up an appointment to get the reports filed, your best bet would be to contact the Campaign Disclosure department. They are usually the ones who help people with that sort of thing, as well as walkthroughs of IDIS. If you call the front desk (217-782-4141), they will be able to set up a time for getting with you to get you filed.

As for the remote access problem, I completely understand the confidentiality issues and I've been in similar scenarios before. The best way to get your computer up and running, without causing security concerns would be to either walk you through a manual install on the phone or through email, whichever would be more convenient for you. A third option, which may not be acceptable, would be to have you bring it in and sit next to me while I get IDIS installed. But again, I understand if this is getting into too much of a gray area.

Thanks,

Adam (217) 558-0632

From: Daniel K. Wright [mailto:dwright@bhslaw.com]

Sent: Wednesday, August 03, 2011 3:13 PM

To: Hager, Adam **Cc:** Charles Y. Davis

Subject: FW: SQL 2008 Manual Install Instructions

Adam,

I have not had an opportunity to run the manual install. I think the best way to proceed is to set an appointment with you at the SBE office and you can assist with getting the reports filed as I did with a prior report for the Go Griswold Committee due to other technical issues with the SBE reporting programs.

I have an extremely tight schedule at work currently, but recognize the importance of getting the reports on file as soon as possible. I have personal finance and client information on my computer and, therefore, do not believe I can allow you to remotely access the computer or just drop it off at the SBE office. Nothing personal, but particularly with regard to the client information, I am concerned about third-party access to my pc as a matter of professional responsibility.

Please let me know whether you or anyone else at your office has time at some point next week to work with me toward overcoming the SBE technical issues and getting our committees into compliance as soon as possible.

I appreciate your assistance.

Thanks.

Dan Wright

From: Daniel K. Wright

Sent: Thursday, July 28, 2011 3:10 PM

To: 'Hager, Adam'

Subject: RE: SQL 2008 Manual Install Instructions

Thanks, Adam.

I will give this a shot tonight and provide an update tomorrow if I am unable to successfully file the quarterly reports for the Go Griswold Committee and Friends of Dan Wright.

Dan

From: Hager, Adam [mailto:AHager@elections.il.gov]

Sent: Thursday, July 28, 2011 3:10 PM

To: Daniel K. Wright

Subject: SQL 2008 Manual Install Instructions

First uninstall any Microsoft SQL 2008 entries in the Add/Remove Program list. There is usually 4 or 5 that end in 2008. I always remove all of the 2008's so I know the computer is clean.

Go to C:\Install\SQL2008 and run setup.exe

The instructions that are attached will walk you through the entire manual install.

At the very end of the Instructions it says:

"Once SQL Server installs successfully go to C:\State Board of Elections\IDIS v2.0 and double click to run cmdCreateIDISUser.cmd. This will add the user IDISUser to the database as an SQL login and user"

Do that, a black dos style window will pop up pretty quickly and then disappear. That's normal and there is no real confirmation that it's done. So if you saw it pop up and go away, it's done and you're hopefully good to go.

Adam Hager Information Specialist IL State Board of Elections (217) 558-0632 ahager@elections.il.gov

Newman, Tom

From: Daniel K. Wright [dwright@bhslaw.com]

Sent: Friday, July 22, 2011 11:13 AM

To: Newman, Tom

Cc: 'andrew.griswold@pncmortgage.com'; Charles Y. Davis

Subject: RE: SBE June quarterly reports

I appreciate your response and clarification. However, it seems immaterial whether the technical issue arose from a problem with the SBE server or sql server as a component of the IDIS program (an SBE program). Either cause is entirely unrelated to any act or omission of the affected committees. I will work with IT to get the reports filed.

While it may be the reality, it surprising that nobody at the Springfield SBE office or elsewhere in the SBE administrative structure possesses discretion to accept a filing without assessment of a penalty where the sole cause of the late filing was an SBE technical issue. Instead, you have advised that we will be assessed a penalty regardless of the circumstances and required to complete the appeal process incurring the related loss of productive time to remedy an issue entirely beyond our control which precluded the timely filing of the reports.

We will complete all steps required to reverse the assessment of any penalty.

It is frustrating that the SBE does not have a policy in place to avoid imposing the burden of IT issues on committees through the "strict liability" assessment of penalties without regard for the cause of a late filing. This is the second time the Go Griswold Committee has been precluded from timely filing a report as a result of SBE technical issues and, on both occasions, I was advised by SBE staff that such issues are relatively common. It seems to be a recurring issue worthy of SBE's attention.

Thanks for your time and input.

Dan Wright

----Original Message----

From: Newman, Tom [mailto:TNewman@elections.il.gov]

Sent: Friday, July 22, 2011 8:48 AM

To: Daniel K. Wright

Subject: RE: SBE June quarterly reports

There may be a little misunderstanding here. What I said was I believe the problem to be an issue with the sql (pronounced sequel) server, not the SBE server. The sql server is one of the components of the IDIS program. There was apparently a problem in the installation of this, or possibly some other problem related to it -- that's where the IT people can give the best answer. At any rate, since the filings will be late you will be assessed a penalty for late filings, but you can appeal the assessment, and you can raise the electronic filing problems you encountered as part of your appeal.

If you have other questions or need assistance, I can be reached at 217-782-1558.

Tom Newman State Board of Elections

----Original Message----

From: Daniel K. Wright [mailto:dwright@bhslaw.com]

Sent: Thursday, July 21, 2011 3:52 PM

To: Webmaster

Cc: Charles Y. Davis; 'andrew.griswold@pncmortgage.com'

Subject: SBE June quarterly reports

I just spoke with Tom Newman, Campaign Disclosure Specialist, in respect to the below quarterly report filing issue. I advised that I attempted to file timely June reports for both the Go Griswold Committee and Friends of Dan Wright as stated in the below e-mail of 7/15, but received an error message indicating that the SBE program would not permit completion of the filing. Mr. Newman advised that he believed the problem was a SBE server issue related to programming. He characterized this as a "common" issue and agreed to have someone from the IT Department at SBE contact me to assist with completion of the filing.

Please confirm that neither committee will be deemed to have filed an untimely quarterly report given the failure of the SBE program.

Thanks.

Dan Wright

----Original Message-----From: Daniel K. Wright

Sent: Friday, July 15, 2011 10:39 PM

To: webmaster@elections.il.gov Subject: June quarterly reports

I have been attempting to file June quarterly reports for the Go Griswold Committee and Friends of Dan Wright. The IDIS system has not allowed me to commence and complete the filing. The error message received is pictured below. I also attempted to download the 64bit version and received additional error messages without success.

I will attempt to obtain assistance on 7/18 at the SBE office in Springfield.

STATE OF ILLINOIS COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

V.

•

Jane Adams for Carbondale Committee

ID# 23430

11 SQ 211

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of the September 2011 Quarterly Report

The Report was received by the Board on October 26, 2011, 7 days late, resulting in a civil penalty assessment of \$175.

Jane Adams, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Adams states that she prepared the Report on October 5 and thought she had mailed it before leaving the country for a short trip. When she returned on October 22, she discovered the Report had not been sent, so she immediately mailed it.

I recommend the appeal be denied for lack of an adequate defense. As a first violation, the penalty is stayed. (As of 12/31/11, this Committee reported a funds available balance of \$433.63.)

Tom Newman – Hearing Officer

March 6, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141

Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440

Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011

ID# 23430

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Jane Adams for Carbondale Committee Jane Adams 606 W Elm St Carbondale, IL 62901-2606

Dear Jane Adams for Carbondale Committee:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Quarterly Report of Campaign Contributions and Expenditures

Report Period: July 1, 2011 through September 30, 2011 Filing Period: October 3, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on October 26, 2011, 7 days late. As such, this committee has been assessed a fine of \$175.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore**, **you need not pay this assessed civil penalty unless another violation occurs**.

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward

Director, Campaign Disclosure Division

SS: ir

Enclosure(s): appeal packet

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County of Jackson)		1	(Z 3)40 3
BEFO	RE THE STATE BOA	ARD OF ELECTIONS OF ILLINOIS	
IN THE MATTER OF;)		
ILLINOIS STATE BOARD OF	ELECTIONS,)		
Complainant)		
Vs.)	Case No. 115021	<u> </u>
Jane Adams for Carbondak)		
23430 Respondent(s).)		
	APPEAL AFF	IDAVIT	
լ Jane Adams	, the Chairman		of the
(Name)	, 1220	(Chairman/Treasurer)	
Jane Adams for Carbondale			
	(Name of the Co	ommittee)	
Committee, first being duly swo can offer a good reason or defer reasons and defenses are:			
I prepared the report before leaving it, but on returning Saturday evening computer desk. I immediately maile matter.	g, October 22, discovere	ed I had failed to do so; it was sitti	ng, stamped, on my
Signed and Sworn to by: before me this 30th Day of Lecenham, 2011 Notary Public	Jan	e Adams Signature of Chairman/Treasur	rer)
ERICA KAY PANKEY OFFICIAL MY COMMISSION EXPIRES APRIL 26, 2015		168	

STATE OF ILLINOIS COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

V.

11 AJ 121

Committee to Elect Mark Kochan Judge Cmte ID: 23623 Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment For Failing to File Schedule A-1 Reports

The Committee failed to file two (2) Schedule A-1s for receipts itemized on the June 2011 Quarterly Report: \$1000 from Mack's Lake of Egypt Marina, dated June 20, 2011, and \$1000 from ULLICO, dated June 23, 2011. The fine amount is \$500 for each receipt, for a total of \$1000.

Angie Kuchan, the Chairman of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Ms. Kuchan stated she had no prior experience with reporting requirements and, in speaking with the Committee Treasurer, misunderstood the point at which A-1 filings are required. She said she has instituted corrective remedies and apologized for the unintentional oversight.

I appreciate Ms. Kuchan's candor and response in this matter but recommend the appeal be denied for lack of an adequate defense. If the Board accepts this recommendation, the assessment would be automatically reduced to 10% of the above-referenced fine amount as the product of a first A-1 delinquency, and a total of \$100 would be due and owing. As of December 31, 2011, the Committee reported cash on hand of \$575.20.

John Levin – Hearing Officer

March 1, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440 Fax: 312/814-6485 EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
December 5, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Committee to Elect Mark Kochan Judge Angie Kochan 121 W Cherry St Herrin, IL 62948 ID# 23623

Dear Committee to Elect Mark Kochan Judge:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

Contributed By	Date of Contribution	Amount of Contribution	Date A-1 Received	Days Late	<u>Fine</u> <u>Assessed</u>
Mack's Lake of Egypt Marina	6/20/11	\$1000	*	n/a	\$500
ULLICO	6/23/11	\$1000	*	n/a	\$500

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$1000 for delinquently filing Schedule A-1 reports. This total *does not* reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$100. (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (January 4). This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

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County of $\frac{W_1 H_1 \otimes w_{50} n}{W_1 H_2 \otimes w_{50} n}$	11 PEO 08 - CHID: 59
BEFORE THE STATE B OF THE STATE	
IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,))
Complainant))
Vs.) Case No. 1190104
3623 Respondent(s). July e	
APPEAL A	
1, Angie Kochan the (Name)	Chairman/Transpurer) of the
Committee to Fleet Mari Ko	ichamian reasurer)
(Name of the	e Committee)
Committee, first being duly sworn, deposes and st can offer a good reason or defense to the assessm reasons and defenses are:	eates that he/she represents that the said committee tent of a civil penalty in this matter, and that such
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again Dagologise fo	or any uninterditorial inconvenience
Signed and Sworn to by: Aligate Kochan before me this 29th Day of December . 2011 Tou a finale	(Signature of Chairman/Treasurer)
Notary Public OFFICIAL SEAL OR! A. BURKE	71

STATE OF ILLINOIS COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. 11 MA 114

Friends of Miriam Shabo

ID# 21302

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of the June 2011 Quarterly Report and the September 2011 Quarterly Report

The June Quarterly Report was received by the Board on September 7, 2011, 37 days late, resulting in a civil penalty assessment of \$925. The September Quarterly Report was received by the Board on October 18, 2011, 1 day late, resulting in a civil penalty assessment of \$50. The total assessment is \$975.

Miriam Shabo, the Chairman of the Committee, filed a Waiver of Appearance. and submitted on the Appeal Affidavit the following:

On the Affidavit, Mrs. Shabo states that although she has used the Board's IDIS electronic filing software since it was first introduced, she was unable to get the new version (2.0) of the program to work on either her home or notebook computer. Mrs. Shabo states that she had limited time to analyze and correct the problem, because her husband has been seriously ill since March 2011 and attending to his health issues and rehab left her with no extra time to take off work. She says it ultimately took several phone calls with the Board's IT staff to resolve the problems and allow her to file the June Report. Following that, Mrs. Shabo says she had an additional issue with the software that prevented her from filing the September Report, and which again required assistance from the Board's staff to correct. She stresses that in no way was she willfully negligent or non-compliant in filing her reports and she includes copies of several filing receipts and emails with Board staff as evidence.

After reviewing the Board's electronic filing service request database and the evidence provided by the Committee, it appears the first contact from the Committee regarding its electronic filing problems was on August 18, 2011, more than a month after the due date of the June Quarterly Report. The Report itself was then not filed for another two weeks. While I am sympathetic to the electronic filing problems encountered by Mrs. Shabo and her scheduling difficulties, it appears the filing process itself was not started until well after the filing deadline. For that reason, in regards to the June Quarterly Report. I recommend the appeal be denied. As for the September Quarterly Report, timely filing was prevented by a problem that did require assistance to correct and the Committee did attend to the matter promptly. Therefore, in order to be consistent with previous Board decisions where an electronic filing defense is used and since

this Committee had not previously utilized such a defense, I recommend the appeal be granted. If these recommendations are accepted by the Board, the \$925 civil penalty for the June Quarterly Report would be stayed as a first offense. (As of 12/31/11, this Committee reported a funds available balance of \$305.43.)

Tom Newman – Hearing Officer

March 6, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph. Suite 14-100 Chicago Illinois 60601 312/814-6440 Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller December 5, 2011

ID# 21302

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends of Miriam Shabo Miriam Shabo, Charles Shabo PO Box 1697 Homewood, IL 60430-0697

Dear Friends of Miriam Shabo:

As you have been previously notified, this committee failed to electronically re-file the following document as required:

Report Type:

Quarterly Report of Campaign Contributions and Expenditures

Report Period:

July 1, 2011 through September 30, 2011

Filing Period:

October 3, 2011 through October 17, 2011

Based upon this committee's failure to comply with the provisions of Section 100.150 Rules & Regulations, it has been assessed a civil penalty for each day this report remained electronically unfiled. According to Board records, this report was electronically re-filed by your committee on October 18, 2011, 1 day(s) late. As such, this committee has been assessed a fine of \$50.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:

Quarterly Report of Campaign Contribution and Expenditures

Report Period:

April 1, 2011 through June 30, 2011

Filing Period:

July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on October 12, 2011, 37 day(s) late. As such, this committee has been assessed a fine of \$925. The total for both assessments is \$975.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by January 4, you forfeit the right to contest this assessment.

State of Illinois)

County of Cook

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:

ILLINOIS STATE BOARD OF ELECTIONS.
Complainant)

Vs.

FRIENDS OF MIRIAM SHABO)

Respondent(s)

APPEAL AFFIDAVIT

I. <u>Miriam Shabo</u> , the Chairman		the of the
Friends of Miriam Shabo (Name of Comn	nittee)	

Committee, first being duly sworn, deposes and states that she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

- 1. That I have used IDIS 1.0 software since its inception for various committees that I served on.
- 2. That IDIS upgrade did not function on either my home or notebook computer.
- That I went in person to the State Board of Election in Chicago but there was not anybody to assist me with the problem.
- 4. That I then called the Springfield Office and was connected with Kalpana Krishnamurthi.
- 5. That several attempts by Kalpana Krishnamurthi from the Illinois State Board of Elections IT Department to resolve the problem were unsuccessful (Exhibits "2b".)

- 6. That Kalpana was then able to temporarily fix the problem and that I was able to upload Ist and 2nd quarter 2011 D-2 reports (Exhibit 3b".)
- 7. That I could not upload the 3rd quarter, as upload function malfunctioned (Exhibit "3b".)
- 8. That my husband has been seriously ill since March 2011, for whose rehab f had to take time off work.
- 9. That in consequence of 8, above I could not take additional time off work to analyze and correct the problem during the day.
- 10. That Kalpana Krishnamurthi from the Illinois State Board of Elections IT Department graciously offered to look into my computer problem in the morning before Heft for work (Exhibit "3b".)
- 11. That Kalpana was able to resolve Microsoft SQL problem which had disabled electronic upload on the morning of October 18, 2011 (Exhibit "3b".)
- 12. That I was then able to upload the third quarter file successfully.
- 13. That I was in no way willfully negligent nor non-compliant in e-filing D-2 reports (Exhibit "1") and that I duly filed hard copies of D-2 reports (Exhibit "2a" and "3a".
- 14. That I plead with this Honorable Board to waive the assessed civil penalty.

(Signature of Chairman/Treasurer)

Signed and Sworn to by:

before me this Japuary 3, 2012

. White

Notary Public



STATE OF ILLINOIS COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

Vs. 11 MA 081

Friends for Miles (23275)

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of the 1st 2011 Quarterly Report

Delinquent Filing of the 2nd 2011 Quarterly Report

Failure to file a Schedule A-1 Report

The 1st 2011 Quarterly Report was received on August 10, 2011, 81 days late, resulting in a \$2,025 civil penalty. The 2nd Quarterly Report was received on August 10, 2011, 18 days late, resulting in a \$900 civil penalty. The committee received a contribution of \$5,000 on February 19, 2011 and failed to file a Schedule A-1 Report, resulting in a \$2,500 civil penalty or 50% of the amount referenced above. The total civil penalty assessment is \$5,425.

Committee chairman, Anne Marie Miles appeared on October 24, 2011 for the appeal hearing.

In her defense, Anne Marie Miles claims the reports were timely filed according to the law. Miles referred to Section 125.425 stated in pertinent part, "documents are deemed received by the Board as the date stamped by the Board staff on the documents submitted." Miles produced a file stamped copy of the 1st and 2nd Quarterly Reports (Exhibit 1) and receipts issued by the Board (Exhibit 2). The 1st Quarterly report was filed on June 10, 2011 and she received one time amnesty issued by the Board. The 2nd Quarterly report was filed timely on July 15, 2011. Miles stated upon receiving the 30 day electronic filing requirement notice she attempted to file her reports electronically.

The 1st and 2nd Quarterly Reports were electronically filed on August 10, 2011. Miles encountered error messages during her attempt to install IDIS. She contacted SBE IT several times who indicated she needed a new computer to run the software. Miles unable to purchase a new PC, obtained computer access from a computer consulting agency. She inputted financial data when access was available on a part time basis until completed in August 2011.

In regard to the failure to file the Schedule A-1 report, Miles stated she did not realize a secondary report of contributions was due.

According to Miles' defense she claims the reports were received timely by Board based on her file stamped copy and receipt she received. 1 would direct the Board and Respondent to Section 100.150 stated in pertinent part;

(b) Once a committee exceeds the threshold that requires it to report electronically, it must continue to report electronically until it dissolves, whether or not its accumulation, receipts or expenditures fall beneath the levels set by statute for mandatory electronic filing.

(c) Once a committee is required to file its reports electronically under Section 9-28, it must continue to file all reports electronically, except as follows:

(1) A paper report shall be considered a timely filing if it is received by the Board on or before the filing deadline, provided that it covers the initial reporting period during which the mandatory electronic filing threshold is exceeded and that the report is filed electronically within 30 days after receipt of notice from the Board that this report was required to have been filed electronically. If the report is not filed electronically within this 30 day period, it shall be considered as never having been filed and the civil penalties mandated by 26 Ill. Adm. Code 125.425 will accrue from the date of the filing deadline.

Therefore, the defense that the report was timely received is inadequate. However, Miles demonstrated a good faith effort was made to comply with Section 100.150, regarding the 1st and 2nd Quarterly reports. Miles was unable to make the 30 day electronic filing deadline extension due to incompatibilities with the IDIS program requiring her to obtain a new computer for the sole reason to comply with filing requirements. Therefore, in order to be consistent with previous Board rulings where an electronic filing issue was raised as a defense, and since this is the first time the defense was raised when attempting to use IDIS 2.0, I recommend that the appeal be granted. It appears the Committee has resolved their errors with IDIS v 2.0 and has filed the 3rd Quarterly report timely. In addition, the Respondent has employed a CPA firm to handle the Committee's electronic filings (Exhibit 3). It is doubtful the Board would look favorably upon use of an electronic filing defense in the future.

In regard to the Schedule A-1 violation. I recommend the appeal is denied. Since there is no indication the violation was anything other than inadvertent and unintentional, and as a first time offense, I further recommend the penalty be reduced to 5% of the original assessment or \$250. If the Board accepts this recommendation, the civil penalty assessment of \$250 will be due, but stayed as a first violation. (As of 9/30/11, this committee reported a funds available balance of \$84.23)

Tara Molnar – Hearing Officer

December 14, 2011

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141

Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440 Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller August 30, 2011

BOARD MEMBERS William M. McGuffage, Chairman Jesse R. Smart, Vice Chairman Harold D. Byers Bety J. Coffrin Ernest L. Gowen Judith C. Rice Bryan A. Schneider Charles W. Scholz

Friends for Miles Anne Marie Miles 5490 S Shore Dr. Chicago, IL 60615-5984

Dear Friends for Miles:

As you have been previously notified, this committee failed to electronically re-file the following documents as required:

Report Type:

Quarterly Report of Campaign Contributions and Expenditures

Report Period:

January 1, 2011 through March 31, 2011

Filing Period:

April 1, 2011 through April 15, 2011

ID# 23275

Based upon this committee's failure to comply with the provisions of Section 100.150 Rules & Regulations, it has been assessed a civil penalty for each day this report remained electronically unfiled. According to Board records. this report was electronically re-filed by your committee on August 10, 2011, 81 day(s) late. As such, this committee has been assessed a fine of \$2025.

Report Type:

Quarterly Report of Campaign Contributions and Expenditures

Report Period: Filing Period:

April 1, 2011 through June 30, 2011 July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provisions of Section 100.150 Rules & Regulations, it has been assessed a civil penalty for each day this report remained electronically unfiled. According to Board records, this report was electronically re-filed by your committee on August 10, 2011, 18 day(s) late. As such, this committee has been assessed a fine of \$900.

In addition, this committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

Contributed By	<u>Date of</u> <u>Contribution</u>	Amount of Contribution	Date A-1 Received	<u>Days</u> <u>Late</u>	<u>Fine</u> <u>Assessed</u>
Ann Marie Dunlap	2/19/2011	\$5000	*	75	\$2500

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$2500 for delinquently filing schedule A-1 reports. This total does not reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$250, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (September 29). This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street. Springfield. IL 62704.

If you have questions regarding the appeal process, please call Jenny Ronimous at 217/782-1543.

Sincerely:

Sharon Steward

Director, Campaign Disclosure Division

SS: jr

Enclosure(s): appeal packet

^{*} This contribution was reported on the March Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more

	CHICAGO 11 SEP 29 PM 12: 29 STATE BOARD OF ELECTIONS TE OF ILLINOIS
IN THE MATTER OF; ILLINOIS STATE BOARD OF ELECTIONS, Complainant Vs. Vs. Respondent(s).))))))) Case No. 11 MAO81
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MARY DEAN PEARSON SOFTICIAL MY COMMISSION EXPIRES AUGUST 8, 2012	1

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EXHIB 182

	FORM			BUTIONS AND EXPENDITURES	CR OFFICE USE ONLY
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r Not-Itemized		\$ <u></u>	(4b)	p. Not-Itemized	\$ (90)
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		mitting this report <u>i</u> irman or treasurer:		Total Receipts from Section	n A: \$ 450 (B)
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SIGNATURE OF CO	MM!TTEE'S TR	REASURER DR CA	NDIDATE ONLY		DATE
THIS FORM MAY BE F			PAGE 1		REVISED 1/1/11

Friends for Miles 5490 S Shore Dr Chicago, IL 60615-5984

State of Illinois State Board of Elections Campaign Disclosure Division

1020 South Spring St. PO Box 4187 Springfield, Illinois 62708 100 West Randoiph St. Suite 14-100 Chicago, Illinois 60601

Candidate 23275 12 Friends for Miles

PLEASE RETAIN THIS RECEIPT FOR YOUR RECORDS

The Illinois State Board of Elections has received the following document(s) from your committee. If this information is incorrect, notify our office at (217)782-4141 or (312)814-6440.

7/15/2011 1:34:42PM

Received in Chicago

D-2 Quarterly Report

Friends for Miles 5490 S Shore Dr Chicago, IL 60615-5984

State of Illinois
State Board of Elections
Campaign Disclosure Division

1020 South Spring St. PO Box 4187 Springfield, Illinois 62708 100 West Randolph St. Suite 14-100 Chicago, Illinois 60601

Candidate 23275 12
Friends for Miles

PLEASE RETAIN THIS RECEIPT FOR YOUR RECORDS

The Illinois State Board of Elections has received the following document(s) from your committee. If this information is incorrect, notify our office at (217)782-4141 or (312)814-6440.

6/10/2011 3:24:31PM

Received in Chicago

D-2 Quarterly Report

RECEIVED

NOV 11 2011

State Board of Elections



October 26, 2011

RE: Anne Marie Miles campaign

To Whom It May Concern:

We are a local CPA firm and have been engaged as the accountants for the Friends of Miles, the Democratic Committeeman campaign of Anne Marie Miles. We will be working with the Treasurer Ann Marie Dunlap to make sure that all electronic filings are done in a timely manner.

Please contact me if you need additional information.

Best regards,

Barton Eilts, CPA

STATE OF ILLINOIS COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

Vs.

11 AS 046

Joy Cunningham for Justice

23691

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing
A Schedule A-1 in the 3rd Quarter of 2011 and
Failure to File a Schedule A-1 for the 3rd Quarter of 2011

This committee received two \$5,000 contributions on 7/28/11, a \$5,000 contribution on 7/29/11, a \$5,000 contribution on 8/2/11, two \$1,000 contributions on 8/2/11, and reported these contributions to the Board between 1 and 4 business days late. This Committee also received a \$5,000 contribution on 7/29/11, and reported this contribution on a Schedule A-1 on 10/11/11, 46 days late. The total assessment is \$13,500.

The Respondent was represented by attorney Richard Means at the February 15 appeal hearing. Also attending was Vance Du Rivage the treasurer of the Committee.

Richard Means introduced three exhibits:

Exhibit 1 was the first page of the letter that was sent to the Committee with the appeal forms, a deposit slip of \$27,000 and the checks that made up the 8/5/11 deposit, and a copy of a Schedule A-1 the Committee filed on 10/11/12.

Exhibit 2 was a copy of a Schedule A-1 the Committee filed on 8/10/11.

Exhibit 3 was what appears to be a print out off of the Boards web site in relation to the itemized individual contributions of the Committee for the period of 7/1/11 to 9/30/11.

Richard Means indicated that the Committee listed the date on the check as the receipt date for the Raymond H Drymalski \$5,000 contribution, the Kevin Durkin \$5,000 contribution, the Michael Krazak \$5,000 contribution, the Nicole D Krazak \$5,000 contribution, and both of the Eugene Payalon \$1,000 contributions, rather than the actual deposit date. The actual deposit date for all of these contributions was 8/5/11 and the Committee filed a Schedule A-1 for all of these contributions on 8/10/11. The Schedule A-1 was therefore filed within the 5 business days as required, however the dates listed on the Schedule A-1 and subsequently on the Quarterly Report were inaccurately listed as the dates the check were written. The Kathy Durkin \$5,000 contribution was deposited on 8/5/11 as well. However, the Committee did not report this contribution on a Schedule A-1 until 10/11/11. Mr. Means indicated that this contribution was overlooked and they acknowledge that this contribution was not filed in a timely manner, however the contribution was filed.

In relation to the Raymond H Drymalski, Kevin Durkin, Michael Krazak, Nicole D Krazak, and Eugene Pavalon contributions the bank print out of that deposit shows the deposit date was 8/5/11, even though

the Committee listed receipt dates ranging from 7/28/11 – 8/2/11. The Committee filed a Schedule A-1 for these contributions on 8/10/11. Therefore, the Committee would have then met the 5 business day requirement to file the contribution on a Schedule A-1 considering the receipt date should have been deemed to have been received on 8/5/11. I recommend the appeal be granted in relation to these contributions. In relation to the Kathy Durkin \$5,000 contribution the bank print out shows the deposit date was 8/5/11 for this contribution as well. However, the Committee did not file this contribution on a Schedule A-1 until 10/11/11. The Committee presented a defense that this contribution was accidentally overlooked. I recommend the appeal be denied for lack of an adequate defense in relation to the Kathy Durkin \$5,000 contribution. However, since there is no indication that this violation was anything other than inadvertent and unintentional, I also recommend that the penalty be reduced to 10% of the original assessment, or \$250. As a first violation, the penalty is stayed. Furthermore, I recommend the Committee amend the September 2011 Quarterly Report to reflect the actual receipt date of 8/5/11 for all seven of these contributions within 30 days of the Board's Final Order. Failure to comply with the said Order could subject the Committee to a penalty not to exceed \$5,000. (As of 12/31/11, this Committee reported a funds available balance of \$139,329.59.)

Andy Nauman – Hearing Officer

February 15, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago Illinois 60601 312/814-6440 Fax: 312/814-6485 LINOIS

Rupert T. Borgsmiller
December 5, 2011

ID# 23691

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Joy Cunningham for Justice Vance Du Rivage 429 W Catalpa Ave Chicago, IL 60640

Dear Joy Cunningham for Justice:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

Contributed By	<u>Date of</u> <u>Contribution</u>	Amount of Contribution	Date A-1 Received	Days Late	<u>Fine</u> <u>Assessed</u>
Raynond H Drymalski	8/2/11	\$5000	8/10/11	1	\$2500
Kevin Durkin	7/29/11	\$5000	8/10/11	3	\$2500
Michael Krazak	7/28/11	\$5000	8/10/11	4	\$2500
Nicole D Krazak	7/28/11	\$5000	8/10/11	4	\$2500
Eugene Pavalon	8/2/11	\$1000	8/10/11	1	\$500
Eugene Pavalon	8/2/11	\$1000	8/10/11	1	\$500
Kathy Durkin	7/29/11	\$5000	*	n/a	\$2500

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$13500 for delinquently filing Schedule A-1 reports. This total *does not* reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$1350, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (January 4). This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Atm: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704.

If you have any questions regarding the appeal procedure, please call Jennifer Ronimous at 217-782-1543.

Sharon Steward

Director, Campaign Disclosure Division

SS: jr

Enclosures: appeal packet

^{*} This contribution was reported on the September Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

CHICAGO 12 JAN -4 PM 4: 10

State of Illinois	12 JAN -4 PM 4: 10
County of <u>Cool</u> <)	STATE BOARD OF ELECTIONS
BEFORE THE STATE BO OF THE STATE O	
IN THE MATTER OF;	
ILLINOIS STATE BOARD OF ELECTIONS,)	
Complainant)	
Vs. Joy Curringulam for Distict Respondent(s).	Case No.
APPEAL AFT	IDAVIT
Toy Cunwing Mane (Name of the C	Chairman/Treasurer) On Justice
Committee, first being duly sworn, deposes and state can offer a good reason or defense to the assessmen reasons and defenses are:	
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WELLE PROPERLY AD	D TIMELY RECEIVED.
Signed and Swom to by: Vana An Pisage before me this 450 Day of 20112 Dail Smyl Notary Public State of Illinois My Commission Expires 6/29/2013	(Signature of Chairman/Treasurer)

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

In the Matter of:))
SBE Complainant(s),	
Vs.	Case No. 11 AS 046
JOY CONNINGHAM for fustice Respondent(s)	
APPI	EARANCE
The undersigned enters the appearance of (che	eck one):
COMPLAINANT(S)	pr RESPONDENT(S)
foy Cassing han for f	ertice ert name)
	ert name)
Check one: Attorney Pro Se	41
Name: Richard F. 1	Years
Address: 806 Fais Oak	ks fre.
City/State/ZIP Oak Pak, Ha	Visio 60302
Telephone: 708-386-112	·Z
FAX No.: 708-383-296	
EMAIL: KMars D	Kichel Hears. com
Will you accept service of documents via FAX	1/ _
	Signatura



Account Number:

2297168 Capture Date: August 05, 2011

Item Number: Posted Date:

14260000188668 August 05, 2011

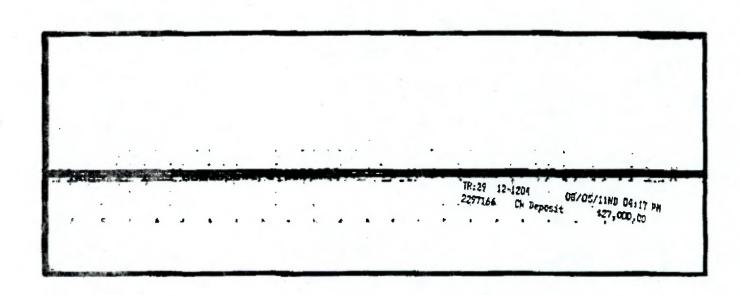
Posted Item Number: 142688666

Serial Number: Amount:

27,000.00

JOY CUNNINGHAM FOR JUSTICE C/O PETER GOTTLIEB 20 N WACKER DR SUITE 1416 CHICAGO IL 60606-2906

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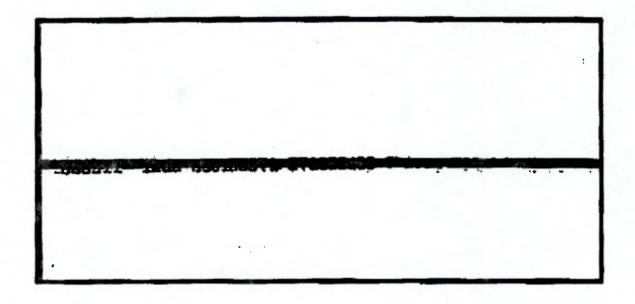




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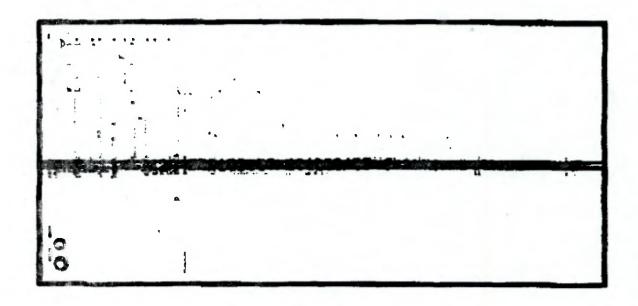
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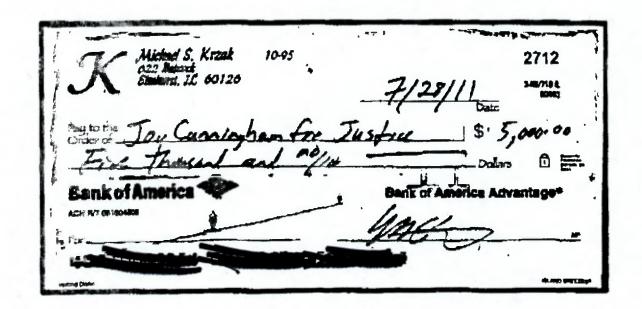
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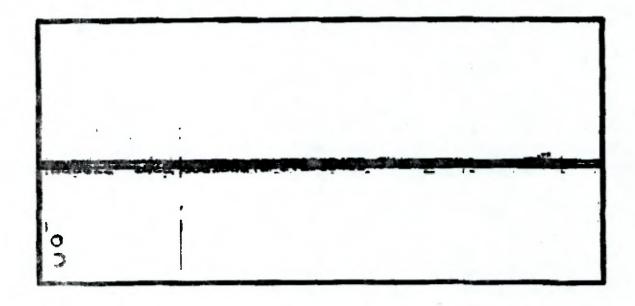
KEVIN P. DURKIN 12-01 ATTORNEY AT LAW 120 N. LASALLE ST. STE 3100 CHICAGO, EL 60602-2463	7-29-11	870 70-480/818 E. 780
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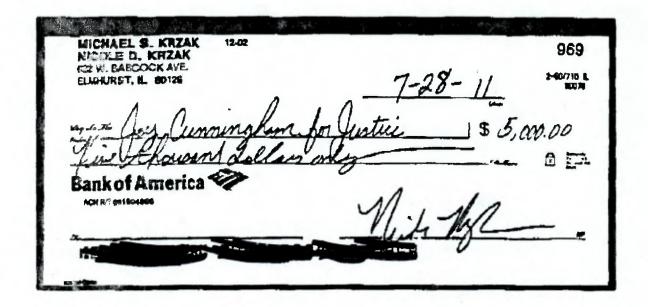
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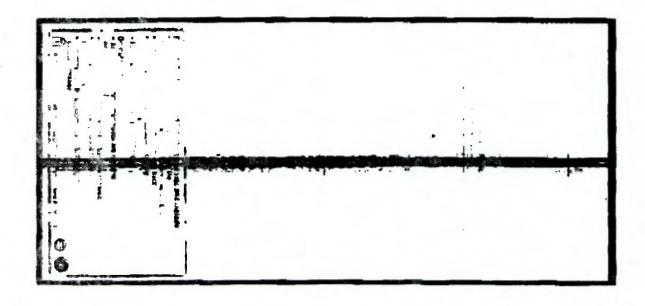






5305577669 August 05, 2011 14260000188668 August 05, 2011 969 5,000,00







Account Number: Capture Date: Item Number:

Posted Date: Posted Item Number: Serial Number:

Amount:

403355

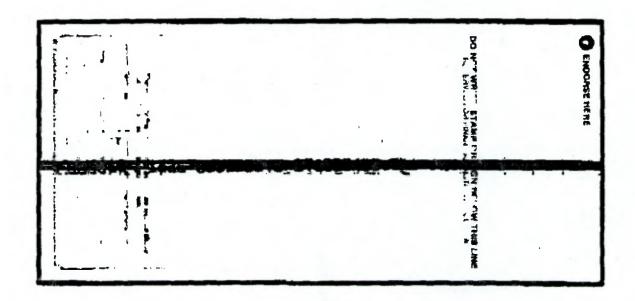
August 05, 2011 14260000188673 August 05, 2011

142688673

2078 1,000.00

EUGENE | PAVALON 1540 N LAKE SHORE DR CHICAGO IL 60610-6684

> 2078 EUGENE I PAVALON 1540 N LAKE SHORE DR CHICAGO, L. 606104684 FAY TO THE ORDER OF... DOLLARS & THE PRIVATE BANK 70 Watt Markon - Cricado, Relaines 60602 20 7B





Account Number: Capture Date:

Item Number: Posted Date: Serial Number

Serial Number: Amount: 2120704

August 05, 2011 14260000188672 August 05, 2011

1886 1,000.00

ELIGENE I. PAVALON
1540 N. LAKE SHORE DR.
CHICAGO, IL 80810

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Met House of M. S. 1000

THE MONTHERN TRUST COMMANY
Northern Trust

MEMO

MEMO

LIMITED TO THE MARKET COMMANY

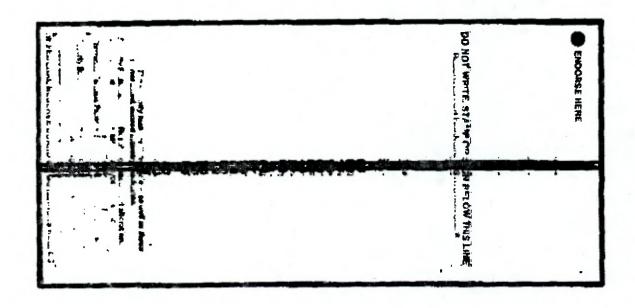
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MEMO

LIMITED TO THE MARKET COMMANY

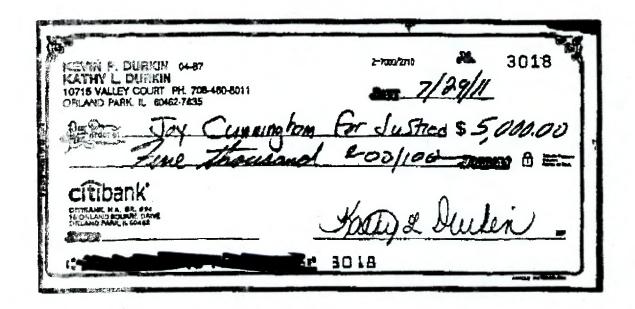
MEMO

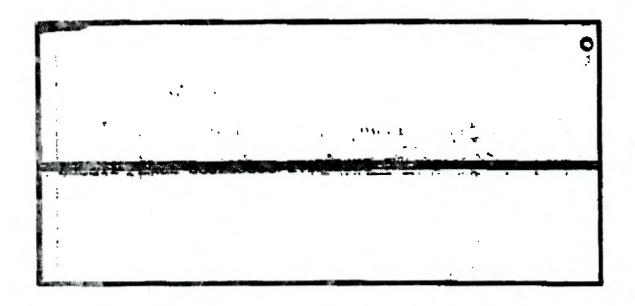
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910130765 August 05, 2011 14260000188669 August 05, 2011 3018 5,000.00





SCHEDULE A-1

REPORT OF CAMPAIGN CONTRIBUTIONS

OF

\$1000 or more

FILED

10/11/2011 02:52:35 PM

FOR OFFICE USE ONLY
IDENTIFICATION NO.

23691

02

Joy Cunningham for Justice c/o Peter Gottlieb 20 N Wacker Dr. Ste 1416 Chicago, IL 60603-2908

ITEMIZED RECEIPTS FULL NAME, WALLING AGGRESS, AND ZIP CODE	RECEIPT TYPE	DATE RECEIVED	AMOUNT OF EACH RECEIPT
The second second Colors of the second secon	Individual Contribution		
Durkin, Kathy			
10715 Valley Court			
Orland Park, IL 60462			
		7/29/2011	\$5,000.00

Name and address of person submitting this report <u>if other</u> than the committee's candidate or treasurer:

Adolphus Kindle 312 W. 51st Chicago, IL 60609

STATE OF ILLINOIS COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

V.

11 MQ-CL 013

Chicago for Rahm Emanuel

Cmte ID: 22989

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment For a Contribution Limit Violation

The Committee reported two donations from contributor Patrick Nash during the election cycle of January 1, 2011, through February 22, 2011 – one, for \$5000, dated February 11, 2011; the other, for \$2500, dated February 14, 2011. The aggregate amount of \$7500 produced an overage of \$2500, which was not returned by the Committee within 15 days. The fine amount of \$3750 (150% of the overage) is automatically reduced to \$375 (10% of the above amount) as the product of a first offense.

David Boul, the Chairman and Treasurer of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Mr. Boul stated the donations actually were from two different individuals. He said the \$5000 contribution was from Patrick Nash, Sr., while the \$2500 donation was from Patrick Nash, Jr. The affidavit contained copies of the checks in question supporting the affidavit.

I recommend the appeal be granted. The supporting evidence confirms separate individuals with separate addresses made the donations. Accordingly, the contribution limit of \$5000 per individual per election cycle was not exceeded. As of December 31, 2011, the Committee reported a cash balance of \$1,238,208.69.

John Levin – Hearing Officer

March 5, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 S. Spring Street PO Box 4187 Springfield, Illinois 62708-4187 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 W. Randolph Street, Ste 14-100 Chicago Illinois 60601-3232 312/814-6440 Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller January 12, 2012

ID# 22989

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Betty J. Coffrin
Ernest C. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Chicago for Rahm Emanuel David Boul 845 W. Wolfram St. Chicago, IL 60657

Dear Committee:

This committee has accepted the following contributions in violation of the contribution limits provided in 10 ILCS 5/9-8.5 during the 1/1/11 - 2/22/11 election cycle as defined in Section 5/9-1.9(4):

Contributed By	Date of Contribution	Amount of Contribution	Max Contribution Allowed	Amount in Violation of Limits
Patrick Nash	2/11/11	5000		
Patrick Nash	2/14/11	2500	5000	2500
	TOTAL	\$7500	\$5000	\$2500

The committee did not return the portion of the contribution exceeding \$5000.00 to the contributor or donate the same amount to charity within 15 days as required by 10 ILCS 5/9-8.5(j) of the Election Code. Thus, an equal amount must escheat to the General Revenue Fund via the State Board of Elections, 1020 S Spring St, Springfield IL 62704.

Additionally, based upon this committee's failure to comply with the provision of 10 ILCS 5/9-8.5 of the Election Code, the Board may impose a fine of up to \$3750.00, (150% of the overage amount). However, since this is the first violation of the campaign contribution limits by this committee, the civil penalty will be automatically reduced to \$375.00, (10% of the amount in violation of the campaign contribution limit) if you choose not to file an appeal under the Board's procedures. As a first violation, this penalty will be stayed.

The total amount of \$2875.00 (fine amount plus the escheated amount) will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. However, *only* the escheated amount of \$2500.00 must be paid within 30 days of the issuance of the Order.

State of Illinois)		
County of Cook)		
BEFORE THE STATE BOARD OF THE STATE OF I		12 JAN 26
IN THE MATTER OF;		MI 26
ILLINOIS STATE BOARD OF ELECTIONS,		
Complainant)		AM 9: 50
Vs.	Case No. //MQ-CLO/	3
Chicago for Rahm Emanuel		
Respondent(s).		
APPEAL AFFIDA	AVIT	
I. David Boul , the Chairman	and Treasurer	of the
(Name)	(Chairman/Treasurer)	
Chicago for Rahm Emanuel		
(Name of the Comr	nittee)	
Committee, first being duly sworn deposes and states that offer a good reason or defense to the assessment of a civil and defenses are:		
Please see attached documen	its.	
Signed and Sworn to by: David Boul before me this 25th Day of January 1, 2012 Sign	ature of Chairman/Treasurer	
Notary Public	action of Committee Frederica	

OFFICIAL SEAL
GAIL A. FAVORITI
Notary Public - State of Illinois
My Commission Expires Nov 27, 2014

ATTACHMENT TO APPEAL AFFIDAVIT

This appeal is filed in response to correspondence from Sharon Steward, the Director of the Campaign Disclosure Division of the State Board of Elections, dated January 12, 2012, in which a civil penalty was assessed against Chicago for Rahm Emanuel (the "Committee") in relation to two contributions that the State Board of Elections is asserting together exceeded the contribution limits provided in 10 ILCS 5/9-8.5. The Committee is appealing the assessment of this civil penalty and has completed a waiver of appearance, which is attached to this affidavit.

The relevant contributions, one in the amount of \$5000 and the other in the amount of \$2500, were given by two separate individuals—Patrick Nash, Sr. and Patrick Nash, Jr., respectively—and should not be aggregated for the purpose of evaluating the Committee's compliance with 10 ILCS 5/9-8.5.

The Committee is appealing the imposition of the civil penalty in this case because the relevant contributions were given by two separate individuals in amounts that did not exceed the maximum contribution amount allowed per individual as provided in 10 ILCS 5/9-8.5. Therefore, the Committee did not violate 10 ILCS 5/9-8.5 when it did not return the \$2500 to Patrick Nash, Jr. or donate the same amount to charity within 15 days.

The relevant facts are described in detail below:

On February 8, 2011 Patrick J. Nash, Sr. and Patrick J. Nash, Jr., along with several other individuals, hosted a reception for the Committee. Attached is a copy of the invitation for this event, listing both "Patrick J. Nash" and "Patrick J. Nash, Jr." as hosts.

On February 9, 2011 the Committee received from Patrick J. Nash, Sr. a monetary contribution in the amount of \$5000 in the form of a personal check dated February 8, 2011. On the Committee's donor form, Mr. Nash, Sr. listed his street address as "250 East Pearson, #703," his occupation as "Investment Banker," and his employer as "JP Morgan." The \$5000 personal check received from Mr. Nash, Sr. reflects his East Pearson street address. Copies of the donor form and check are attached to this affidavit. As reported in the Committee's D-2 quarterly report, the check from Mr. Nash, Sr. was deposited on February 11, 2011.

Also on February 9, 2011, the Committee received from Patrick J. Nash, Jr. a monetary contribution in the amount of \$2500 in the form of a personal check dated February 8, 2011. On the Committee's donor form, Mr. Nash, Jr. listed his street address as "3537 N. Marshfield Ave.," his occupation as "Attorney," and his employer as "Kirkland & Ellis LLP." The North Marshfield street address is reflected on the personal check received from Mr. Nash, Jr. Copies of the donor form and check are attached to this affidavit. The check from Mr. Nash, Jr. was deposited on February 14, 2011, as reported on the Committee's D-2 quarterly report.

These contributions were reported by the Committee in its D-2 quarterly report for the period January 1, 2011 to March 31, 2011, filed electronically on April 15, 2011. On the State Board of Elections' website, the HTML version of the report, in the itemized list of individual contributions received, shows (i) one contribution dated 2/11/2011 from Patrick J. Nash, a JP

Morgan Chase investment banker whose address is 250 E. Pearson #703 (i.e., Patrick J. Nash, Sr.), in the amount of \$5000, and (ii) one contribution dated 2/14/2011 from Patrick J. Nash, a Kirkland & Ellis attorney whose address is 3537 N. Marshfield Avenue (i.e. Patrick J. Nash, Jr.), in the amount of \$2500. A screenshot of this portion of the HTML version of the report is attached. A search for contributions by Patrick Nash to Chicago for Rahm Emanuel during the 1/1/2011 - 2/22/2011 election cycle similarly discloses two contributions made by two separate individuals: one \$5000 contribution from Patrick Nash the investment banker at the East Pearson address and one \$2500 contribution from Patrick Nash the attorney at the North Marshfield address. A screenshot of the contributions list generated by this search is also attached. For an unknown reason, possibly a computer error, the PDF version of the Committee's D-2 quarterly report improperly aggregates the \$5000 contribution dated 2/11/2011 and the \$2500 contribution dated 2/14/2011, listing the contributions together under the name of Patrick J. Nash, the JP Morgan Chase investment banker whose address is 250 E. Pearson #703. The relevant page of the PDF version of the Committee's report is attached. As demonstrated by the other factual evidence described above and attached to this affidavit, the PDF version of the Committee's D-2 quarterly report is inaccurate in aggregating the separate contributions made to the Committee by Patrick J. Nash, Sr. and Patrick J. Nash, Jr.

Given that the relevant contributions were made by two separate individuals, the contributions did not exceed the maximum contribution amount allowed per individual as provided in 10 ILCS 5/9-8.5. Therefore, the Committee respectfully appeals the assessment of civil penalties related to the relevant contributions.

CFR-Foxale necd 2/1/2011 Yes, I/we will attend on Tuesday, February 8, 2011. I/we were referred by ____ Host: \$5,000 Sponsor: \$2,500 Guest: \$1,000 Unfortunately, I/we cannot join you but would like to support Rahm Emanuel for Mayor of Chicago. Enclosed is my/our contribution of \$_ I confirm that the following statements are true and accurate: I am a United States citizen or a permanent resident (or a business incorporated in the United States). I am at least 18 years old. I am not registered as a lobbyist with the City of Chicago Board of Ethics. I am not doing business, have not done business during the last four years, and am not seeking to do business (including seeking a City Council approval) during the last four years with the City of Chicago, the Chicago Transit Authority, the Chicago Board of Education (including the Chicago School Reform Board of Trustees), the Chicago Park District, or the Chicago City Colleges under the rules referenced below (or, if I am, I have limited iny contribution to \$1500 or less.) (Note that for businesses, this restriction extends to affiliated entities.) Neither I nor a business with which I am associated is doing business, seeking to do business, or has done business within the last four years, with the Metropolitan Pier and Exposition Authority under the rules referenced below (or, if I am, I am permitted to make a contribution under those rules). (Note that this restriction extends to certain owners, employees and affiliated entities of a business.) Please make checks payable to "Chicago for Rahm" and return to: 33 South State Street-4th Floor-Chicago, IL-60603 OR email to: afigueroa@chicagoforrahm.com OR fax to: (312) 324-0643 SH 52 Signature Required: SNASH +SCO PEA ESON Home Phone Contribute by Credit Card please fill out below: Visa MasterCard AMEX Piease bill my personal/corporate credit card: Card Number: _ ______Signature: Name as it appears on card: ____ Billing Address (if different from above): _ State of Illinois Beginning January 1, 2011, Article 9 of the Illinois Election Code intras contributings to the following appropriate amounts per election evelet \$5,000 per individual \$10,000 per curporation, labor organization and association \$50,000 per political action econnittee \$50,000 per candidate political countinee. The election cycle for the 2011 Manicipal General Election is from languary 1, 2011 through February 22, 2011. Metropolitan Pier and Exposition Authority: erdon 25.5 of the Metropolitan Past and Exposition Authority Act probabits contributions by: Any entity with contracts or bending bids for contracts over \$50,000 annually with the Metropolitan Pict and Exposition Authority, including contracts that have terminated or expired in the last two years. The state of the s and the spouse of any such person.

PATRICK J. NASH 07-90
SARA F. NASH
25G-E-PEARSON UNIT 703 312-337-3755
CHICAGO, IL 60611

PANTO THE Clucky of Rahm \$500000

PROTO THE Clucky of Rahm \$500000

JPMorgan Chase Bank, N.A.

JPMorgan Chase Bank, N.A.
Chicago, Illinois 60670

and the spouse of any such person, at the spouse of any such person, ax-exempt organization or political committee.

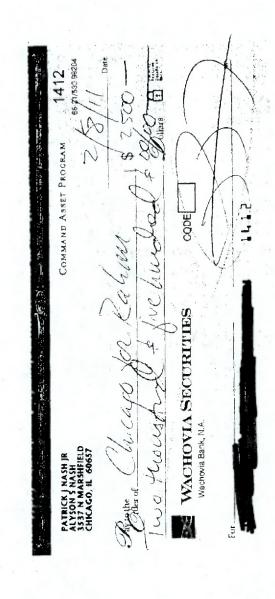
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Metropolitan Pier & Exposition Authority.

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with the City of Chicago, the Chicago Transit astrict, and the Chicago City Colleges. ad's official website (http://www.chartiouxili.gov)



STATE OF ILLINOIS COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

Vs.

11MQ-CL011

Citizens for Powell, Brady & Cardella 23388
Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for a Violation of Contribution Limits Received during the March 2011 Quarterly Reporting Period

This committee received a contribution on 3/9/11 for \$24,500 which exceeds contribution limits during an election cycle and failed to return the portion of the contribution that exceeded \$10,000 to the contributor or donate the same amount to a charity within 15 days as required by statute, resulting in a required escheatment of \$14,500 and a civil penalty assessment of \$21,750.

The Respondent was represented by Charlie Cardella at the January 10 appeal hearing.

Charlie Cardella was one of the three candidates that formed Citizens for Powell, Brady & Cardella. The committee filed as a candidate political committee on advice that was given to them by John Levin an employee of the State Board of Elections. The Committee was later contacted by the State Board of Elections and they were informed that they actually should be a political action committee rather than a candidate committee. The Committee sought the advice of Willard Helander the Lake County Clerk and they were basically told that it was not that big of a deal. The Committee amended the Statement of Organization and changed the political committee's designation. Mr. Cardella believed that since he was a candidate he could loan his committee up to \$25,000. That is why he loaned the committee \$24,500 and he did not realize until later that this was not the case. Mr. Cardella indicated that he did not realize that he needed a CPA to be his accountant and he needed an attorney to run for political office. He indicated that the "New Rules" are very complicated and even the State Board of Elections was confused on some of the matters. The Committee asks for leniency.

The Committee contacted the State Board of Elections and was informed by staff that they could file as a candidate political committee. Staff was operating under the Board's initial interpretation of law when this Committee was originally informed that they could file as a candidate political committee. It was not until later on during the rulemaking process that the State Board of Elections was made aware that our interpretation did not conform to legislative intent. The legislative intent was that only a single candidate could form a candidate committee, and that committees supporting more than one candidate should be designated as a political action committee. As a candidate political committee Mr. Cardella could have loaned his committee \$24,500 and it would not have been in violation of contribution limits (self-funding). Furthermore, the contribution in question was made prior to the Committee being notified by the State Board of Elections that the Committee should have been designated as a PAC rather than a candidate committee. Therefore, the Committee was operating as a candidate political committee, and they were on file as a candidate committee at the time the contribution was given. For the forgoing reasons I recommend the appeal be granted. If the Board accepts this recommendation the escheatment to the General Revenue Fund would not be required.

Andy Nauman – Hearing Officer

January 10, 2012

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 S. Spring Street PO Box 4187 Springfield, Illinois 62708-4187 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 W. Randolph Street, Ste 14-100 Chicago Illinois 60601-3232 312/814-6440

Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller November 2, 2011

BOARD MEMBERS William M. McGuffage, Chairman Jesse R. Smart, Vice Chairman Harold D. Byers Betty J. Coffrin Ernest C. Gowen Judith C. Rice Bryan A. Schneider Charles W. Scholz

Citizens for Powell, Brady & Cardella POB 31 Lincolnshire, IL 60069

ID# 23388

Dear Committee:

This committee has accepted the following contributions in violation of the contribution limits provided in 10 ILCS 5/9-8.5 during the 1/1/11 - 12/31/11 election cycle as defined in Section 5/9-1.9(5):

Contributed By	Date of Contribution	Amount of Contribution	Max Contribution Allowed	Amount in Violation of Limits
Charlie Cardella	3/9/11	\$24500	\$10000	\$14500
	TOTAL	\$24500	\$10000	\$14500

The committee did not return the portion of the contribution exceeding \$10000.00 to the contributor or donate the same amount to charity within 15 days as required by 10 ILCS 5/9-8.5(j) of the Election Code. Thus, an equal amount must escheat to the General Revenue Fund via the State Board of Elections, 1020 S Spring St. Springfield IL 62704.

Additionally, based upon this committee's failure to comply with the provision of 10 ILCS 5/9-8.5 of the Election Code, the Board may impose a fine of up to \$21750.00, (150% of the overage amount). However, since this is the first violation of the campaign contribution limits by this committee, the civil penalty will be automatically reduced to \$2175.00, (10% of the amount in violation of the campaign contribution limit) if you choose not to file an appeal under the Board's procedures. As a first violation, this penalty will be stayed.

The total amount of \$16675.00 (fine amount plus the escheated amount) will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. However, only the escheated amount of \$14500.00 must be paid within 30 days of the issuance of the Order.

State of Illinois)
County of L	AKE }

STATE BOARD OF ELECTIONS

11 DEC - 1 PM 12: 39

BEFORE THE STATE BOARD OF ELECTIONS OF THE STATE OF HILINOIS

STATE OF ILLINOIS COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

VS.

11 MQ-CL 010

Citizens for Viverito

ID# 6053

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Violation of Contribution Limits

The Committee received a \$5,000 contribution from Frega Associates, Ltd on 3/14/11 and a subsequent \$10,000 in-kind contribution from Frega Associates, Ltd on 3/31/11. The total contribution was therefore \$15,000, exceeding the \$10,000 contribution limit and resulting in a required escheatment of \$5,000 and a civil penalty assessment of \$7,500. Additionally, the Committee had previously been assessed a \$5,000 civil penalty (appealed, granted) for delinquently filing 2 Schedule A-1 Reports for the 2010 General Election. The total escheatment is \$5,000 and the total assessment is \$7,500.

Louis S. Viverito, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Viverito states that the Committee was unaware of the contribution limits that went into effect at the beginning of the year. He says they did not violate the limit knowingly or intentionally and would not have accepted the extra amount if they had been aware of the limits. Mr. Viverito adds that the Committee is now aware of the rules.

Unfortunately, ignorance of the law is no excuse. I recommend the appeal be denied. However, since there is no indication the violation was anything other than inadvertent and unintentional, and since this is the first contribution limit violation for the Committee, I also recommend the penalty be reduced to 10% of the original assessment, or \$750. As a first violation, the penalty is stayed. The Committee must also complete the mandatory escheatment of \$5,000 to the General Revenue Fund. (As of 9/30/11, this Committee reported a funds available balance of \$62,573.26, with investments of \$271,166.89.)

Tom Newman – Hearing Officer

December 14, 2011

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 S. Spring Street PO Box 4187 Springfield, Illinois 62708-4187 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 W. Randolph Street, Ste 14-100 Chicago Illinois 60601-3232 312/814-6440 Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller November 2, 2011

SO OF ELECTION

BOARD MEMBERS

Harold D. Byers

Betty J. Coffrin Ernest C. Gowen

Judith C. Rice

Bryan A. Schneider

Charles W. Scholz

William M. McGuffage, Chairman

Jesse R. Smart, Vice Chairman

ID# 6053

Citizens for Viverito 6215 W 79th St, suite 2A Burbank, IL 60459

Dear Committee;

This committee has accepted the following contributions in violation of the contribution limits provided in 10 ILCS 5/9-8.5 during the 1/1/11 - 3/20/12 election cycle as defined in Section 5/9-1.9(4):

Contributed By	Date of Contribution	Amount of Contribution	Max Contribution Allowed	Amount in Violation of Limits
Frega Associates	3/14/11	\$5000	\$10000	
Frega Associates	3/31/11	\$10000	\$10000	\$5000
	TOTAL	\$15,000	\$10000	\$5000

The committee did not return the portion of the contribution exceeding \$10000.00 to the contributor or donate the same amount to charity within 15 days as required by 10 ILCS 5/9-8.5(j) of the Election Code. Thus, an equal amount must escheat to the General Revenue Fund via the State Board of Elections, 1020 S Spring St, Springfield IL 62704.

Additionally, based upon this committee's failure to comply with the provision of 10 ILCS 5/9-8.5 of the Election Code, the Board may impose a fine of up to \$7500.00, (150% of the overage amount). However, since this is the first violation of the campaign contribution limits by this committee, the civil penalty will be automatically reduced to \$750.00, (10% of the amount in violation of the campaign contribution limit) if you choose not to file an appeal under the Board's procedures. As a first violation, this penalty will be stayed.

The total amount of \$5750.00 (fine amount plus the escheated amount) will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. However, *only* the escheated amount of \$5000.00 must be paid within 30 days of the issuance of the Order.

State of Illinois	
County of COOK)	STATE BOARD OF ELECTIONS
County of	11 DEC -1 PM 12: 39
	BOARD OF ELECTIONS E OF ILLINOIS
IN THE MATTER OF;	
ILLINOIS STATE BOARD OF ELECTIONS,	
Complainant)
Vs. CITIZENS FOR VIVERITO) Case No. // MQ-CL 0/0
Respondent(s).)
APPEAL A	AFFIDAVIT
I. LOUIS S. VIVERITO , the	TREASURER of the
(Name)	(Chairman/Treasurer)
CITIZENS FOR	VIVERITO
(Name of the	e Committee)
offer a good reason or defense to the assessment of and defenses are: Regarding your notice Committee that we were in vio please believe this was not d Had we known about the contri effect January, 2011, we woul of \$5,000 in March, 2011. We	es that he/she represents that the said committee can a civil penalty in this matter, and that such reasons of November 2, 2011, to our lation of contribution limits, one knowingly or intentionally. bution limits, which went into d not have accepted the extra amount have been filing these reports for ligently to follow all of the rules.
however, this was one rule the be assured that we are now.	at we were not aware of, but you can We appeal to the Board to please
reverse your decision.	
Signed and Sworn to by: Louis S. Viverito before me this _28 Day of November 2011 Notary Public	Signature of Chairman/Treasurer
NOT	DAW: RCACH ARY PUBLIST OF ILLINOIS COMMISSION PRESIDE/27/14

STATE OF ILLINOIS COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

VS.

11 SQ-CL 004

Citizens to Elect Judge Brendan Maher

ID# 23566

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Violation of Contribution Limits

The Committee received in-kind contributions from KMK Media Group on 4/5/11 totaling \$5,000, \$250, and \$4,150, and subsequently received additional in-kind contributions from KMK Media Group on 9/9/11 totaling \$1,000 and \$1,000. The total in-kind contribution was therefore \$11,350, exceeding the \$10,000 contribution limit, and resulting in a required escheatment of \$1,350 and a civil penalty assessment of \$2,025.

Dean Olson, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Olson states that the sum of the contributions from KMK Media Group was overstated by \$5,232. He says the total originally reported included services that had been voluntarily provided by Pam Maher, a part owner and employee of KMK, as well as the wife of the candidate. Mr. Olson contends that since Mrs. Maher did not receive or expect to receive compensation for her services, they constitute voluntary services and as such are not considered contributions under the law. He includes a copy of an email from Mrs. Maher to the Committee valuing the voluntary services at \$5,232, and adds that amended reports have been filed to correct the total of the in-kind contributions from KMK.

Section 9-1.4(A)(4) of the Campaign Disclosure Act defines a contribution as, "the services of an employee donated by an employer, in which case the contribution shall be listed in the name of the employer, except that any individual services provided voluntarily and without promise or expectation of compensation from any source shall not be deemed a contribution..." So while there is an exception in the law for voluntary services, I do not believe it applies in this instance. The services provided by Mrs. Maher were not independent of those provided by KMK Media Group; they were in fact part and parcel of the services contributed by KMK. This appears to be confirmed by the amended documents filed by the Committee, which show the in-kind contributions for advertising, website and consulting all reduced when the portion "volunteered" by Mrs. Maher are taken out. Since Mrs. Maher's services were things for which she and the company would ordinarily be paid in the course of its business. I do not believe her portion can simply be subtracted from the rest of the in-kind contributions. To allow this could potentially open the door for any committee receiving similar in-kind contributions to declare them as voluntary services and not disclose them. I therefore recommend the appeal be denied. However, since there is no indication the violation was anything other than inadvertent and unintentional, and since this is the first contribution limit violation for the Committee, I also recommend the penalty be reduced to 10% of the original assessment, or \$203. As a first violation, the penalty is stayed. The Committee must also complete the mandatory escheatment of \$1.350 to the General Revenue Fund. (As of 9/30/11, this Committee reported a funds available balance of \$23,314.35.)

Tom Newman - Hearing Officer

December 29, 2011

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 S. Spring Street PO Box 4187 Springfield, Illinois 62708-4187 217/782-4141 Fax: 217/782-5959

James R. Thompson Center 100 W. Randolph Street, Ste 14-100 Chicago Illinois 60601-3232 312/814-6440 Fax: 312/814-6485 A LINE BELLINGS

EXECUTIVE DIRECTOR Rupert T. Borgsmiller November 2, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Betty J. Coffrin
Ernest C. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens to Elect Judge Brendan Maher POB 219 Rockford, IL 61105 ID# 23556

Dear Committee;

This committee has accepted the following contributions in violation of the contribution limits provided in 10 ILCS 5/9-8.5 during the 1/1/11 - 3/20/12 election eyele as defined in Section 5/9-1.9(4):

Contributed By	Date of Contribution	Amount of Contribution	Max Contribution Allowed	Amount in Violation of Limits
KMK Media Group	4/5/11	\$5000	\$10000	
KMK Media Group	4/5/11	\$250	\$10000	
KMK Media Group	4/5/11	\$4100	\$10000	
KMK Media Group	9/9/11	\$1000	\$10000	\$350
KMK Media Group	9/9/11	\$1000	\$10000	\$1000
	TOTAL	\$11350	\$10000	\$1350

The committee did not return the portion of the contribution exceeding \$10000.00 to the contributor or donate the same amount to charity within 15 days as required by 10 ILCS 5/9-8.5(j) of the Election Code. Thus, an equal amount must escheat to the General Revenue Fund via the State Board of Elections, 1020 S Spring St, Springfield IL 62704.

Additionally, based upon this committee's failure to comply with the provision of 10 ILCS 5/9-8.5 of the Election Code, the Board may impose a fine of up to \$2025.00, (150% of the overage amount). However, since this is the first violation of the campaign contribution limits by this committee, the civil penalty will be automatically reduced to \$203.00, (10% of the amount in violation of the campaign contribution limit) if you choose not to file an appeal under the Board's procedures. As a first violation, this penalty will be stayed.

The total amount of \$1553.00 (fine amount plus the escheated amount) will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. However, *only* the escheated amount of \$1350.00 must be paid within 30 days of the issuance of the Order.

Enclosed please find Section 10 of ILCS 5/9-8.5(j) of the Act, Section 100.75(d-g) of the Rules and Regulations, and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. Appeal forms may also be found on our website, www.elections.il.gov. Notice of Appeal must be filed within 30 days of the date of this assessment letter for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue Klos at 217/782-0608. If you have questions regarding the contribution limits themselves, please call the Campaign Disclosure Division at 217/782-4141.

Sincerely,

Sharon Steward

Director, Campaign Disclosure Division

Stewan

SS: sk

Enclosures: appeal packet

State of Illinois)	
County of Winnebago)	တ္
BEFORE THE STATE BOARD OF ELECTION OF THE STATE OF ILLINOIS	C -2
IN THE MATTER OF:	
ILLINOIS STATE BOARD OF ELECTIONS,)	H 9: 26
Complainant,	50-CL004
vs.)	34 35 7
CITIZENS TO ELECT JUDGE BRENDAN MAHER (ID#23556),	
Respondent.	

APPEAL AFFIDAVIT

- I, DEAN OLSON, the Treasurer of Citizens to Elect Judge Brendan Maher, first being duly sworn deposes and states that said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are as follows:
- Citizens to Elect Judge Brendan Maher (the "Committee") is a duly constituted candidate political committee organized for the purpose of electing Brendan Maher to the position of Circuit Court Judge.
- 2. KMK Media Group, Inc. ("KMK") is an Illinois corporation based in Rockford, Illinois which is engaged in the profession of providing professional marketing and public relations services.
- 3. Between the dates April 5, 2011, and September 9, 2011, KMK rendered professional marketing and public relations services for the benefit of the Committee.

- 4. The sum of in-kind contributions reported to the Committee by KMK over that period totaled \$11,350, but that sum was overstated by \$5,232.
- Pam Maher is a part owner and employee of KMK; she is also married to the candidate, Judge Brendan Maher, and is one of the campaign's most active volunteers.
- 6. During the period in question, Mrs. Maher provided extensive volunteer services, including marketing and public relation services, for which she did not receive, or expect to receive, compensation from any source.
- 7. Under Illinois law, an individual is permitted to volunteer as much of her time and professional expertise as she desires and the value of those services does not constitute a contribution.
- 8. Specifically, a "contribution" under the Illinois Election Code does not include "individual services provided voluntarily and without promise or expectation of compensation from any source." See 10 ILCS 5/9-1.4(4).
- 9. In this instance, KMK erroneously included the value of volunteer services provided by its part owner and employee, Pam Maher, in the total value of in-kind services provided by KMK.
- 10. This resulted in the total value of in-kind contributions provided by KMK being overstated by the value of volunteer services rendered by Mrs. Maher, i.e., \$5,232. See email communication from Mrs. Pam Maher to Ian Linnabary dated November 22, 2011.
- 11. Mrs. Maher was not compensated by KMK for her services, and thus, the value of her time and expertise should not have been included in the value of the in-kind contributions provided by KMK.

- 12. Therefore, the Committee did not receive in-kind contributions from KMK exceeding the \$10,000 statutory limit.
- An amended report has been or will be filed to reflect the correct value of in-kind contributions provided to the Committee by KMK.

WHEREFORE, Respondent, CITIZENS TO ELECT JUDGE BRENDAN MAHER, respectfully requests that this matter be dismissed without adverse consequences to the Committee.

Dated this 2 day of December, 2011.

Respondent, CITIZENS TO ELECT JUDGE BRENDAN MAHER

Dean Olson

Its: Treasurer

State of Illinois County of Winnebago

Signed and sworn to before me on this December, 2011, by Dean Olson.

OFFICIAL SEAL STEPHANIE A. ERDI NOTARY PUBLIC, STATE OF ILLINOIS COMMISSION EXPIRES 5-31-20

By:

Citizens to Elect Judge Brendan Maher

P.O. Box 219

Rockford, IL 61105

ID No.: 23556

Ian K. Linnabary

From:

Pam Maher <Pam@kmkmedia.com>

Sent:

Tuesday, November 22, 2011 3:13 PM

To:

Ian K. Linnabary

Cc:

Brendan Maher; 'Imruk@wilmac.com'

Subject:

KMK and Pam Maher services

Follow Up Flag:

Follow up

Flag Status:

Flagged

Committee to Elect Judge Brendan Maher...

As both a volunteer and a business owner contributing to the campaign, I would submit a figure of \$5,232.00 for time I personally volunteered to the campaign during the last reporting period with the remainder given as an in-kind contribution, jointly contributing to the total dollar amount previously reported in whole as a KMK Media Group "in kind contribution."

Please let me know if you need additional information.

Pam Maher



p:815-399-2805 f: 815-399-1726

1111 S. Alpine Road, Ste. 300 Rockford, IL 61108

www.kmkmedia.com

Find us on Facebook and Twitter!

STATE BOARD OF ELECTIONS

1020 South Spring Street Springfield, Illinois 62704 217/782-4141

Sharon Steward

Director, Campaign Disclosure Division

To: Members of the Board, Rupert T. Borgsmiller, Executive Director, Steve Sandvoss, General

Counsel

Re: Civil Penalty Assessments Necessitating a Final Board Order

Date: March 6, 2011

Listed below are committees that have been assessed a civil penalty for the delinquent filing of the December 2009 and 2010 Semi-annual report, the March, June and September 2011 Quarterly reports, Schedule A-1's and "multi-assessments". These violations were not appealed & should be issued a Final Board Order.

	December 2009 Semi-annual R	eport	
Cmte No	Cmte Name	Amt of Fine	Previous Violations
21055	Friends of Mary Schneider **	5000	None
22366	Citz for Cecil Todd Emery for Sheriff	5000	None
22548	Friends of Frank McPartlin **	5000	1 semi
	December 2010 Semi-annual R	eport	
Cmte No	Cmte Name	Amt of Fine	Previous Violations
22854	Independent Democracy **	1950	None
23065	Citz for Egbert **	2725	None
	March 2011 Quarterly Repo	ort	
Cmte No	Cmte Name	Amt of Fine	Previous Violations
7709	Citz for Cepero **	3950	1 quarterly
22878	Richard Martinez JR, a New 10 th Ward **	1200	None
23270	Citz for Sandra Walters **	1575	None
	June 2011 Quarterly Repor	t	
Cmte No	Cmte Name	Amt of Fine	Previous Violations
15431	42 nd Ward Republican Org	2275	Semi, A-1
18063	Friends of Dr Bob Tiballi	425	None
19938	Citz for John Sweeney	250	None
21036	Friends of Education	425	None
23100	Citz to Elect Carmelita Earls 28th Ward Alderman	875	None
	September 2011 Quarterly Re	port	
Cmte No	Cmte Name	Amt of Fine	Previous Violations
38	Citz for Lechowicz	150	None
90	Crawford Co Dem Central Cmte	50	None
262	Thornton Twp Reg Republican Org	25	None
298	Fulton Co Dem Central Cmte	125	None
380	Gallatin Co Rep Central Cmte	25	None
731	Outdoor Advertising Assn of IL	550	none

Cmte No	Cmte Name	Amt of Fine	Previous Violations
822	NISMACNA Contractors Assn	300	2 semi
924	Workers Compensation Lawyers Assn	150	None
929	Local 143 IUOE PAC	100	None
1076	Wabash Co Rep Central Cmte	75	None
1130	IL Farm Equip Pol Educ Cmte	50	None
4276	Village Improvement Party	150	None
4300	Peoples Economy Party	175	None
4682	Williams Fund	125	None
4807	Cmte to Elect Michael Turk	225	None
4942	Family Taxpayers Network	200	Semi, quarterly
4967	Lincoln Club of Champaign Co **	750	None
5276	Greene Co Dem Central Cmte	150	None
5301	Aurora Twp Dem Central Cmte	25	None
5578	Rockford PAC for Education	350	None
7103	Citz for Daniel Pritchett	400	None
7305	Il Assn of Mortgage Brokers PAC	200	A-1
7482	Humane PAC	100	None
7483	Liberty Mutual Inc Co Pac	275	None
9672	Mpower PAC	200	None
9694	GOP County Board Caucus	250	None
10784	Keith Sommer Campaign Cmte	50	None
10834	Hasara For Mayor Cmte	225	None
11926	Citz to Elect Sue Fidducia	200	None
11980	Citz for Tim Johnson	25	None
13199	Edgar Co Dem Boosters	225	None
13728	Citz for Marc Munaretto	300	None
13756	Citz for Feeney	250	None
14453	Collinsville Education Assn	200	None
14501	Friends of John Pope	50	A-1
14694	Northwest Tax Watch PAC	25	None
14721	Citz for Karen Cason	75	None
14832	Friends of Hurkes	100	Quarterly
14921	Citz to Elect William B Sullivan **	550	Quarterly
15037	Friends of Maura Slattery Boyle	100	None
15373	Chicago GOP	475	None
15385	Kirsch for Council	225	Semi
15579	Cmte to Elect Lonzo Greenwood **	275	None
1594	Lao American National Rep Party	125	None
16208	II Fire Chiefs Assn PAC	100	None
16367	Citz to Elect Eddie Washington	1500	Quarterly
16448	Citz for Mike Belasky	50	None
16747	Citz for Dean Argiris	50	None
16779	Il Court Reporters Assn	100	None
16838	Fraternal Order of Police	50	None
16903	Il Brotherhood of Electrical Workers	150	None

Cmte No	Cmte Name	Amt of Fine	Previous Violations
16939	Oswego Schools Referendum Cmte	200	None
17032	Citz for District 56 Schools	250	None
17239	Citz for Officer	500	Quarterly, A-1
17275	Michelle for Mayor	450	None
17288	Citz for Abby Schuler	150	None
17551	Boaters PAC NFP	75	Semi
17609	Citz for Al McKinnor **	275	None
17762	Cit to Elect Nora Ohlsen	175	None
17787	State of Il Medical Alliance	50	None
17849	Cmte to Elect Michael Burke	250	None
18108	Friends of Joel Tjelmeland	125	None
18247	Macon Co Farm Bureau Pol Cmte	50	None
18354	Citz for Al Hofeld Jr	275	None
18418	Frankfort Twp Dem Org	75	None
18600	People for Paula Pezza	50	None
18478	Cmte to Elect Gary Smith for Mayor	25	None
18844	Aurora Twp Democratic Team	25	None
18939	Cmte to Retain Jenny Hayden	250	None
19248	Cmte to elect Kevin Malone	325	None
19337	Sang Co Young Republicans	150	Semi
19353	Scott Helton for Lake Co Board	50	None
19368	Friends of Terry Redman	275	None
19648	Empowered DG Taxpayers	375	None
19724	Vernon Twp Rep Central Cmte	100	None
20108	Friends for Anna Klocek	50	None
20195	Friends of Dan Irving	25	None
20263	Cmte to Elect Jim Albritton	50	None
20408	Cmte to Elect Brad Shields **	500	None
20425	Friends of Trevor Clatfelter	25	None
20448	Classroom Teachers Council IPACE	25	None
20737	Friends of Brendan Appel	25	None
20818	Citz for Abbott	50	None
20905	Friends of Dennis Brita	50	None
21000	IEA Local 512 CMA	400	None
21124	Right PAC	450	None
21181	Friends of Dan Segrue	200	None
21215	Friends of John Davsko	150	None
21265	Cmte to Elect Don Denny	50	None
21357	Friends of Karol Sole	50	None
21361	Friends of Emil Jones III	50	None
21394	Cmte to Elect Jim Soeldner	25	None
21642	Oak Lawn Leadership Team	50	None
21694	Stein for Alderman	500	None
21738	Friends of Jimmie Watson	25	None
21766	Alsop Coalition for Excellence	200	None

Cmte No	Cmte Name	Amt of Fine	Previous Violations
21814	Cmte to Elect Marv Dahlberg	125	None
21868	Friends of Kim Savage	25	None
21872	Citz for Benoit	25	None
21902	Citz for Kevin Horstmans	75	None
21912	N Aurora Firefighters Assn **	25	None
21923	Friends of Ricky Gutierrez	25	Semi
21928	Dems United for a Better Downers Grove	25	None
21961	Build53yes.org	100	None
22035	Citz for Michael Bram	25	None
22080	Friends for Joe Laiacona **	225	None
22083	Friends for Willy Rivera **	125	Semi
22163	Citz to Elect Laura Tomsky	150	Semi
22329	Citz for Sarah Gallagher Chami	250	None
22323	Friends of Chris Ward	50	None
22358	Cmte to Elect Steven Watkins **	100	2semi, quarterly
22420	Coalition for an Honest Govt **	125	2 semi
22422	Friends of Joseph Sneed **	125	2 semi
22479	Citz for Michael Carroll	75	Semi
22577	II Fairness Fund	100	None
22580	Friends of Bob McQuillan	50	None
22650	The Alliance	900	2 quarterly, 2 semi
22661	Friends of Brian Duewel	150	None
22688	Citz for Hilary Denk **	225	Semi
22721	Citz for a Better Quincy	125	None
22746	10 th Congressional Dist Dems State PAC	25	None
22776	Young Dems of Southwestern IL	25	None
22799	Friends of Judge Jordan Gallagher **	75	None
22085	Egan Forward 43	200	None
22816	Friends of Greg Mitchell	50	None
22823	The November Fund	475	Semi
22884	Friends of Lori McConville	25	None
22851	Citz for Julius Anderson **	700	Semi
22852	Cmte to Elect Tony Childress	450	None
22858	Groesch for Sheriff	75	None
22911	Citz for Stewart	250	A-1
22927	Citz to Elect Valerie Leonard	475	None
22938	Citz to Elect Sondra (Sam) Spellman **	150	Semi, A-1, quarterly
22994	Citz to Elect Constantine Kanellos	75	None
23006	Citz for Burch	700	Quarterly
23007	Citz for Christopher Farber	125	None
23087	Friends for Ryan Graves	1000	Quarterly
23092	Citz for Anna Moeller **	25	None
23122	Citz for Paul Frank	100	None
23143	Friends of Bart Goldberg	100	None
23165	Friends for Sheryl Morabito **	150	None

Cmte No	Cmte Name	Amt of Fine	Previous Violations
23167	Citz to Elect James McMahon Mayor	100	None
23251	Friends of Ryan Lambert **	25	None
23281	Walk Bike Transit	50	None
23287	Neighbors for Greg Hose	50	None
23315	We Are One 4 LTHS	50	None
23335	Citz for Homewood Schools **	425	None
23336	Cmte to Elect Latoya Greenwood **	275	A-1
23339	Citz to Elect Diane Harris for Mayor **	25	None
23396	Open Govt Party	450	None
23407	Citz for Stieper	225	None
23423	Friends of Thomas Kavanagh	150	None
23451	Citz for Rich Wilkie	225	None
23453	Friends of Candace Mueller	250	None
23457	Assn of Plainfield Teacher PAC	200	None
23477	Donna Peluso & Jay Reyes for Triton College **	125	None
23487	Darlene Trvino & Ronald Bosaccy for Veterans Park Dist	1150	None
23492	Cinte to Elect Warren Dorris **	75	None
23496	Friends of Jim Moran **	75	None
23529	Friends for David Pittinger	125	None
23536	Women for Stronger Neighborhoods **	50	None
23545	Citz for a Better Steger	50	None
23556	Friends for Monica Holden **	650	None
23558	Cmte to Elect Marty LeVault **	250	None
23562	Friends of John Hosty **	25	None
23582	REALTORS in Opposition to W Chi Trans Tax**	50	none
23613	Vote Leach **	50	A-1
23617	Friends of Dick Breckinridge	100	Quarterly
23641	Cook Co Coalition of Tradesmen	200	None
23735	Health Education & Learning PAC	150	None
23736	Mary Schorr Lake 17	250	None
23742	Christopher McCann Campaign Fund	125	None
23778	Friends of Kim deBuclet	50	None
23782	Citz to Elect David Jakes	425	None
23794	Elect Bausone **	50	None
23798	Friends for Mary Moylan	50	None
23821	Citz to elect Denise Marie Nalley	100	None
23826	Citz for Zack	25	None
23928	Cmte to Elect Allen Walker	300	None
23856	Citz for Robert Meister	25	None
23857	43 rd Ward United PAC	200	None
23859	Citz to Elect Christopher Cooper	300	Semi
23864	Citz for Nicholas Margarites	25	None
23865	Americans for Better Politics	75	None
23867	Cmte to Re-Elect Andre Ashmore	250	None

	Schedule A-1 (10 AC	G)	
Cmte No	Cmte Name	Amt of Fine	Percentage Reduction
23693	Friends to Elect Andrew Timms	6276	628
	Schedule A-1 (11 A	M)	
Cmte No	Cmte Name	Amt of Fine	Percentage Reduction
7260	Friends of Bob Streit	1000	100
12365	Citz for Sherwin	500	50
17290	Friends of George Cardenas	4250	425
22356	Friends of John Rice	9236	924
22589	Citz for Christopher Getty	2250	225
23388	Citz for Powell, Brady & Cardella **	14750	1475
	Schedule A-1 (11 A	J)	
Cmte No	Cmte Name	Amt of Fine	Percentage Reduction
516	Stickney Twp Regular Dem Org	3250	325
990	Southern IL PAC	500	50
4255	Il Chiropractic Society PAC	500	50
4334	Club 22	500	50
4617	Friends of Bobby Rush	750	75
Cmte No	Cmte Name	Amt of Fine	Percentage Reduction
6630	Moraine Twp Democratic Org	600	60
10121	Citz for Howard	500	50
13255	Friends of James Sexton	5000	500
14879	Building Owners & Managers Assn PAC	1926	193
16912	Thornton Twp Regular Democratic Org	3612	361
17003	Cmte to Elect Howard Brookins	750	75
17231	WHTS Citz Cmte	500	50
19202	Cmte to Elect Robert Lovero	1000	200
19263	Citz for Reilly	3750	375
20063	Citz to Elect Stephanie Neely	500	50
20758	Friends of Anita Alvarez	1500	150
21125	50 th Ward Regular Dem Org	2250	225
21563	Peoples Voice Party	2678	268
22749	Citz to Elect John Arena	500	50
22778	Friends of Molly Phelan	5500	2750
22882	Friends of Rita Mayfield	500	50
22972	Cmte to Elect Gary Cornwall	4000	2000
22982	Friends for Debra Silverman	8500	850
23359	United Communities of Chicago	3500	350
	Schedule A-1 (11 A	S)	
Cmte No	Cmte Name	Amt of Fine	Percentage Reduction
325	Kankakee County Dem Central Cmte	500	50
602	Douglas County Dem Central Cmte	500	50
620	Ogle County Dem Central Cmte	500	50
5566	Whiteside County Dem Central Cmte	1000	100
7416	Friends of Rick Stone	7100	710
10452	IL Pipe Trades PEF	500	50

13984	Citz for Sidney Mathais	500	50
13966	Machinists Dist 9 PAC	4500	450
14887	Citz for Delaney	500	50
17615	Cmte to Re-elect Louis Bianchi	3500	350
19240	Citz for Donald Puchalski	500	50
20255	Citz for Theilen	500	50
20701	Citz for Bivins	750	75
21043	Friends of Peter Grant	500	50
21208	Unity Party of Bloom Twp	500	250
21462	Nina Epstein for Mayor	500	50
22229	Citz for Chris Boyster	2500	250
22235	Friends of Kate Gorman	500	50
22387	Schneider for Sheriff	500	50
22767	Friends of Camille Lilly	500	50
23045	Hanover Elects Republicans Org	500	50
			50
23263	City to Float Inv Scott	2250	225
23726	Citz to Elect Jay Scott		
23773	Mike Smiddy for State Rep	500	50
Cmte No	Cmte Name	Amt of Fine	Percentage Reduction
23777	Citz to Elect Dori Collins	500	50
23813	Team Demmer	1000	100
	Schedule A-1 (11		
Cmte No	Cmte Name	Amt of Fine	Percentage Reduction
23922	Americas Revolution of Reason	571	57
	MA "Multi-assessments" (A-1'	s from 2 quarters)	
Cmte No	Cmte Name	Amt of Fine	Percentage Reduction
10812	Cmte to Elect Baskin Alderman **	1750, 750	175, 375
16776	Citz for Elizabeth Hernandez	1250, 500	125, 250
	MA "Multi-assessments" (Q	uarterly & A-1)	
Cmte No	Cmte Name	Amt of Fine	Percentage Reduction
7060	Heritage Community Party	100, 2000	200
12797	Citz for Ed Schock **	225, 1250	625
23423	Citz for Property Tax Relief **	75, 15,000	1500
	MA "Multi-assessments"	(2 Quarterly)	
Cmte No	Cmte Name	Amt of Fine	Previous Violations
409	Il School Psychologists PAC	1575	Semi, quarterly
945	Cook Co Democratic Women	3225	2 semi
12572	Citz to Elect Jon Stewart	550	None
16350	Friends of Ed Schmidt **	6150	2 semi
20218	Friends of Denise Brown **	4950	None
20312	42 nd Ward Regular Republican Org	2400	2 semi
20603	Young Dems of IL	1975	1 semi
20780	Friends of Eloise Gerson	2275	2 semi
		2050	2 semi
20841	Friends of Jerry Johnson **	2000	1 4 361111
20841	Friends of Jerry Johnson ** WATCH Clinton Landfill **	3900	1 semi

21440	Friends of Tony Michaelassi	11,300	None
21652	Friends of Weeks	1125	1 semi
22659	Citz to Elect Michelle Coady	175	Semi
22722	Friends of Jesse Iniguez **	2200	none
23049	Friends of Vetress Boyce	10275	None
23068	Friends of David Young **	7200	Quarterly
23739	Citz to Elect Cassandra Goodrum Burton	15050	None
23781	NW IL Building & Trades	15000	None

(** - DENOTES COMMITTEES THAT HAVE FILED A FINAL REPORT)

STATE BOARD OF ELECTIONS

1020 South Spring Street Springfield, Illinois 62704 217/782-4141

Sharon Steward

Director, Campaign Disclosure Division

To: Members of the Board, Rupert T. Borgsmiller, Executive Director, Steve Sandvoss, General

Counsel

Re: Contribution Limit Penalties Necessitating a Final Board Order

Date: March 6, 2012

Listed below are committees that have been assessed a civil penalty for violation of the contribution limits provided in 10 ILCS 5/9-8.5. These violations were not appealed & should be issued a Final Board Order.

Cmte No	Cmte Name	Amt of Fine	Percentage Reduction	Escheatment Amt
7416	Friends of Rick Stone	3300	330	2200
22222	Dems for Community Success	4500	450	3000

(** - DENOTES COMMITTEES THAT HAVE FILED A FINAL REPORT)

STATE BOARD OF ELECTIONS

1020 South Spring Street Springfield, Illinois 62704 217/782-4141

Sharon Steward, Director, Campaign Disclosure Division

To: Rupert T. Borgsmiller, Executive Director, Members of the Board

Re: Payment of Civil Penalties - Informational

Date: 3/7/2012

The following committees have made payment of outstanding civil penalties for the period of 2/2/2012 to 3/7/2012

01 21212012 (0	217/2012	
Cmte ID	Cmte Name	Amt of Check
20809	Sangamon County Democratic Labor Caucus	\$75.00
20809	Ctizens to Elect Darlene Senger	\$300.00
22442	Committee to Elect Joseph Berrios Assessor	\$250.00
20806	Friends of Kay Hatcher	\$100.00
15421	25th Ward Reg Dem Org	\$500.00
18261	Friends of Kwame Raoul	\$200.00
23110	Friends of Wilbert E Cook III	\$509.00
22928	Citizens for Pietrowski	\$750.00
22764	Friends of Sherman Jones	\$5,676.00
20809	Friends for Proco Joe Moreno	\$300.00
675	Illinois Hospital Assn PAC (IHA PAC)	\$1,347.00
213	Chicago Assn of Realtors PAC (CARPAC)	\$1,812.50
14286	Illinois Roofing Contractors PAC	\$375.00
14153	Citizens for Lyle	\$250.00
	Total Amount Paid for this Period:	\$12,444.50

Year to Date Totals:

12/30/11 to 2/1/12: \$69,380.71 2/2/2012 to 3/7/2012: 12,444.50

State Board of Elections

From the desk of....Jane Gasperin, Acting Director of Election Information

Phone: 217-782-1555

Email: jgasperin@elections.il.gov

To: Rupert Borgsmiller, Executive Director

Re: Election Day Assignments - March 20, 2012 (AMENDED)

Date: March 6, 2012

SPRINGFIELD OFFICE (5:30 a.m. - Midnight)

5:30 a.m Midnight	Jane Gasperin	(break 2:00 p.m 5:00 p.m.)
5:30 a.m 3:30 p.m.	Kay Walker	(break 11:00 a.m Noon)
6:00 a.m 3:00 p.m.	Kyle Thomas	(break 11:00 a.m Noon)
6:00 a.m 4:00 p.m.	Bernadette Harrington	(break 11:30 a.m 12:30 p.m.)
6:00 a.m 4:00 p.m.	Bruce Brown	(break 11:30 a.m 12:30 p.m.)
7:00 a.m 5:00 p.m.	Gary Nerone	(break Noon - 1:00 p.m.)
8:00 a.m 6:00 p.m.	Amy Evans	(break 1:00 p.m 2:00 p.m.)
9:00 a.m 7:00 p.m.	Cheryl Hobson	(break 2:00 p.m 3:00 p.m.)
11:00 a.m 9:00 p.m.	Brent Davis	(break 3:30 p.m 4:30 p.m.)
4:00 p.m Midnight	Steve Sandvoss	(break 6:00 p.m 7:00 p.m.)
4:00 p.m Midnight	Dianne Felts	(break 7:30 p.m 8:30 p.m.)

CHICAGO OFFICE (6:00 a.m. - 11:00 p.m.)

6:00 a.m 4:00 p.m.	Ken Menzel	(break Noon - 1:00 p.m.)
6:00 a.m 4:00 p.m.	Marc Petrone	(break 12:30 p.m 1:30 p.m.)
6:00 a.m 4:00 p.m.	Rose Rodriguez	(break 12:30 p.m 1:30 p.m.)
Noon - 11:00 p.m.	Jim Tenuto	(break 3:00 p.m 4:00 p.m.)
Noon - 11:00 p.m.	Darcell McAllister	(break 3:00 p.m 4:00 p.m.)
Noon - 11:00 p.m.	Rick Fulle	(break 4:00 p.m 5:00 p.m.)

FIELD PROGRAM

Jeff Berry (request)

Eric Donnewald (request)

Jamye Sims (request)

Alexander County

East St. Louis

St. Clair County (counting center)

Staff will work as directed by their Division Director if not assigned a specific time.

INTEROFFICE MEMORANDUM

To: Rupert T. Borgsmiller, Executive Director

From: Dianne Felts, Director of Voting Systems and Standards (VOSS)

Subject: General Primary Election March 20, 2012

Date: 2/29/12

The report of the pre-tests will be given orally at the Board Meeting. At this time we are still in the process of designing and conducting them.

Judges Schools GP 2012

Date	Jurisdiction	No. of Schools	Attendance	Zone
Tuesday, January 17, 2012	Aurora	2	28	Four
Wednesday, January 18, 2012	Aurora	2	40	Four
Thursday, January 19, 2012	Aurora	3	111	Four
Friday, January 20, 2012	Aurora	2	104	Four
Thursday, January 26, 2012	Woodford	2	185	Three
Friday, January 27, 2012	Kendall	1	338	Four
Thursday, February 02, 2012	Saline	2	74	One
Tuesday, February 07, 2012	Coles	3	147	Three
Thursday, February 09, 2012	Logan	1	38	Three
Wednesday, February 15, 2012	Hardin	1	38	One
Wednesday, February 15, 2012	Pope	1	27	One
Wednesday, February 15, 2012	Richland	2	62	One
Thursday, February 16, 2012	Lawrence	2	117	One
Thursday, February 16, 2012	Massac	2	58	One
Tuesday, February 21, 2012	Hamilton	2	99	One
Tuesday, February 21, 2012	Menard	2	58	Two
Wednesday, February 22, 2012	Galesburg	3	142	Three
Wednesday, February 22, 2012	Gallatin	1	36	One
Wednesday, February 22, 2012	Montgomery	3	78	Two
Thursday, February 23, 2012	Logan	1	43	Three
Thursday, February 23, 2012	Marshall	2	60	Three
Thursday, February 23, 2012	Montgomery	3	77	Two
Thursday, February 23, 2012	Pulaski	1	32	One
Monday, February 27, 2012	Randolph	2	161	One
Tuesday, February 28, 2012	Calhoun	2	40	Two
Tuesday, February 28, 2012	Jersey	2	139	Two

Date	Jurisdiction	No. of Schools	Attendance	Zone
Tuesday, February 28, 2012	Monroe	3	119	One
Wednesday, February 29, 2012	Monroe	1	29	One
Thursday, March 01, 2012	Christian	2	43	Three
Thursday, March 01, 2012	Fayette	2	126	One
Thursday, March 01, 2012	Iroquois	3	126	Three
Friday, March 02, 2012	Iroquois	1	30	Three
Monday, March 05, 2012	Edwards	2	40	One
Tuesday, March 06, 2012	Cass	2	105	Two
Tuesday, March 06, 2012	Effingham	3	75	One
Tuesday, March 06, 2012	Marion	3	180	One
Wednesday, March 07, 2012	Effingham	3	0	One
Wednesday, March 07, 2012	Franklin	2	0	One
Wednesday, March 07, 2012	Mercer	2	0	Four
Thursday, March 08, 2012	Franklin	1	0	One
Thursday, March 08, 2012	Henderson	2	0	Two
Thursday, March 08, 2012	Morgan	1	0	Two
Thursday, March 08, 2012	Scott	1	0	Two
Thursday, March 08, 2012	Union	2	0	One
Friday, March 09, 2012	Morgan	2	0	Two
Saturday, March 10, 2012	E St Louis	1	0	One
Monday, March 12, 2012	Kankakee	2	0	Three
Monday, March 12, 2012	Putnam	2	0	Four
Tuesday, March 13, 2012	Greene	2	0	Two
Tuesday, March 13, 2012	Kankakee	2	0	Three
Tuesday, March 13, 2012	Williamson	3	0	One
Wednesday, March 14, 2012	Pike	2	0	Two
Thursday, March 15, 2012	Macoupin	2	0	Two
Thursday, March 15, 2012	Shelby	1	0	One

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

2329 South MacArthur Boulevard, P.O. Box 4187 Springfield, Illinois 62708 217/782-4141 TTY: 217/782-1518

Fax: 217/782-5959

James R. Thompson Center 100 West Randolph, Suite 14-100 Chicago, Illinois 60601 312/814-6440 TTY: 312/814-6431 Fax: 312/814-6485



EXECUTIVE DIRECTOR Rupert T. Borgsmiller

MEMORANDUM

To:

Rupert Borgsmiller, Executive Director

From:

Kenneth R. Menzel, Deputy General Counsel

Re:

Advice Sent To Election Authorities On "Late Filed" Candidate Withdrawals

BOARD MEMBERS

Harold D. Byers Betty J. Coffrin

Ernest L. Gowen

Bryan A. Schneider

Charles W. Scholz

Judith C. Rice

William M. McGuffage, Chairman

Jesse R. Smart, Vice Chairman

(Those For Which The Board Is Not Amending The Certification Of Ballot)

Date:

March 9, 2012

On March 6, 2012, a Withdrawal of Candidacy was filed by Roger Eddy with respect to the 110th State Representative District. That withdrawal left us with a total of 4 "late filed" candidate withdrawals (those for whom the Board is not amending the certification of ballot so as to remove their names from the ballot). A total of 17 of the 110 Election Authorities are affected these 4 withdrawals. We have also had inquiries from 2 more Election Authorities about similar late filed withdrawals from county candidates, and are aware of a Cook County Circuit Court candidate who erroneously filed a withdrawal form with the Cook County Clerk but has not yet made the necessary filing with the State Board of Elections.

Several jurisdictions requested guidance on how to deal with the late withdrawals, and the staff saw a reasonable risk of the various jurisdictions taking different courses of action. For that reason, legal staff generated a notice to be sent to all of the affected Election Authorities suggesting what we think to be the best course of action. That notice (a sample copy of which is attached) was sent by email, with a copy of the particular withdrawal relevant to the jurisdiction as well as the Illinois Supreme Court's opinion in <u>Bergeson v Mullinix</u> 399 Ill.2d 470, 78 N.E.2d 297 (1948). We recommended that the Election Authorities review the matter (and the materials) with their own legal counsel.

There is surprisingly little guidance on handling late filed withdrawals in either the Election Code or case law. We are essentially limited to parsing out what direction we can discern from the <u>Bergeson</u> case, decided more than 60 years ago. There, the court recognized that a candidate does have a right to withdraw immediately prior to an election. The court indicated that it would be improper to declare a withdrawn candidate victorious even if he were to receive the most votes.

The court in <u>Bergeson</u> further approved locking the voting machine levers so as to prevent votes for the withdrawn candidate from being cast, and indicated that doing so was a ministerial act by the Election Authority (i.e. it was a non-discretionary action by the Election Authority). The 1940s voting equipment at issue in <u>Bergeson</u> is no longer in use, and the solution approved in that case is no longer an option.¹

With no recent withdrawal cases to guide us, we looked to cases where judicial review of petition objections resulted in candidates being removed from the ballot in close proximity to Election Day. In <u>Delgado v Board of Election Commissioners</u> 224 Ill2d 481, 865 N.E.2d 183, 309 Ill.Dec. 820 (2007) and <u>Bryant v Board of Election Commissioners</u> 224 Ill2d 473, 865 N.E.2d 189, 309 Ill.Dec. 826 (2007), the Illinois Supreme Court ordered candidates removed from the ballot 4 days prior to Election Day. In both cases the court instructed the Election Authority to "disregard any votes cast" for the candidates in the event that the candidates' names could not be removed from the ballot prior to Election Day.

In connection with the Election Authorities disregarding votes cast for withdrawn candidates, the staff added the recommendation that the Election Authorities post notice along with the specimen ballots in the polling places and early voting centers so that the voters would be informed of the late withdrawal. Without such notice, the presence of the withdrawn candidate on the posted specimen ballots, printed ballots and DRE equipment might mislead the voters into thinking the candidate was still a viable choice.

Kenneth R. Menzel Deputy General Counsel

¹ Locking a candidate's lever on a1940s style voting machine was a quick, simple task and made it impossible to cast a vote for the candidate. There is not a similar option with the current voting systems that is quick, simple and effective to implement.

Menzel, Ken

From:

Gasperin, Jane

Sent:

Wednesday, March 07, 2012 3:50 PM

To:

Menzel, Ken

Subject:

FW: Notice to Election Authorities regarding late withdrawals by candidates

Attachments:

Bergeson v Mullinix 78_N_E_2D_297_3-6-12_1432.doc; EDDY WITHDRAWAL.PDF

Importance:

High

From: Gasperin, Jane

Sent: Wednesday, March 07, 2012 3:46 PM

To: Clark Co. Clk.; Coles Co. Clk.; Crawford County Clk.; Cumberland Co. Clk.; Edgar Co. Clk.; Lawrence Co. Clk.

Subject: Notice to Election Authorities regarding late withdrawals by candidates

Importance: High

Your jurisdiction is one in which a candidate has filed a withdrawal of candidacy after the ballot was certified to you, and the State Board of Elections did not amend the ballot certification to remove the candidate's name from the ballot.

As you are aware, it is the SBE policy not to amend the certification of ballot with regard to candidate withdrawals filed after the ballot certification deadline if any affected election authority does not consent (such consent generally being based upon whether an election authority has begun printing ballots or not).

While that avoids the trouble and expense to you of having to reprint ballots, it does leave open a question as to the status of the candidate.

There is very little guidance on this issue in either the Election Code or case law. However, the Illinois Supreme Court, in <u>Bergeson v Mullinix</u> 399 Ill.2d 470, 78 N.E.2d 297 (1948), recognized a candidate's right to withdraw just 3 days prior to Election Day. The court indicated that it would be improper to declare such a candidate victorious even if he were to receive the most votes (see headnotes 5-8 at pages 5-6). The court further approved locking the voting machine levers so as to prevent votes for the withdrawn candidate as a ministerial act by the election authority (see headnotes 14-15, pages 7-8). We are attaching a copy of the court's opinion in <u>Bergeson</u> and the withdrawal affecting your jurisdiction. We recommend that you review these items with your State's Attorney (or other legal counsel) at your earliest opportunity.

We would suggest that the appropriate course of action with regard to the late withdrawn candidate in your jurisdiction is not to tally or report any votes for such candidate in the canvass. We would further suggest that it would be appropriate to post notice in the polling places and early voting locations (alongside the posted specimen ballots), that the candidate withdrew after the printing of the ballots and programming of the DRE equipment and that no votes will be tallied of reported for such candidate.

If you or your State's Attorney have any questions or comments, or need further clarification, please call Ken Menzel at (312) 814-6462.

Rupert T. Borgsmiller Executive Director

ld not b399 III. 470, 78 N.E.2d 297

Westlaw.

78 N.E.2d 297 399 Ill. 470, 78 N.E.2d 297

(Cite as: 399 III. 470, 78 N.E.2d 297)

C

Supreme Court of Illinois.

BERGESON et al.

v.

MULLINIX et al.

No. 30342. March 18, 1948.

West Headnotes

[1] Elections 144 @ 295(1)

144 Elections

144X Contests

144k290 Evidence

144k295 Weight and Sufficiency

144k295(1) k. In General. Most Cited

Cases

In election contest against successful candidate and candidate who withdrew from election three days before election after allegedly being paid by third person to do so, evidence was insufficient to establish a conspiracy as to which the successful candidate was a party.

[2] Conspiracy 91 € 19

91 Conspiracy
911 Civil Liability
911(B) Actions
91k19 k. Evidence, Most Cited Cases

One charging conspiracy has the burden to prove the alleged conspiracy by clear and convincing evidence.

[3] Conspiracy 91 5 19

91 Conspiracy
911 Civil Liability
911(B) Actions
91k19 k. Evidence, Most Cited Cases

Generally, a conspiracy is established largely by circumstantial evidence, and if it be proved that defendants pursued by their acts the same object, by the same means, one performing one part and one another, a conspiracy may be inferred if the evidence is sufficient.

[4] Conspiracy 91 € 19

91 Conspiracy
911 Civil Liability
911(B) Actions
91k19 k. Evidence. Most Cited Cases

In order to connect one with conspiracy, there must be something to show an active participation of some sort by the parties charged with the confederation or meeting of the minds to effect the purpose intended.

[5] Elections 144 @ 174

144 Elections
144VII Ballots
144k165 Form and Contents of Official Ballots
144k174 k. Withdrawal, Disability, or Death of Candidate. Most Cited Cases

Generally, unless there is some statute requiring a candidate to serve, he may have his name removed from the ballot.

[6] Elections 144 € 1

144 Elections

1441 Right of Suffrage and Regulation Thereof in General

 $\underline{144k1}$ k. Nature and Source of Right. \underline{Most} $\underline{Cited\ Cases}$

The right to hold an election is not inherent, but must be conferred by constitution or by statute.

[7] Elections 144 € 235

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(Cite as: 399 III. 470, 78 N.E.2d 297)

144 Elections

144IX Count of Votes, Returns, and Canvass 144k235 k. Determination and Declaration of Result in General. Most Cited Cases

Candidate who withdrew from election three days before election after allegedly being paid to do so by third person, but who nevertheless received the greater number of votes in territories where his name had not been withdrawn by locking levers on the voting machines, would not be declared as duly elected to office.

[8] Evidence 157 2 45

157 Evidence

1571 Judicial Notice

157k45 k. Elections and Appointments to Office. Most Cited Cases

Supreme Court took judicial notice that members of both the Republican and Democratic parties in 1946, constituted more than 5 per cent of the voting population and therefore came under the statutory designation of established political Smith-Hurd Stats. c. 46, § 10-7.

[9] Statutes 361 \$\iiint\$ 190

361 Statutes

361VI Construction and Operation 361VI(A) General Rules of Construction 361k187 Meaning of Language 361k190 k. Existence of Ambiguity.

Most Cited Cases

The construction of statute is necessary only where the statute is ambiguous.

[10] Elections 144 € 120

144 Elections

144VI Nominations and Primary Elections 144k120 k. Constitutional and Statutory Provisions. Most Cited Cases

Section of statute providing that in case a candidate who has been nominated shall die or nomination should for any other reason become vacant, such vacancy may be filled by the managing committee of the majority party, is not ambiguous and does not require construction. S.H.A. ch. 46, § 7-61.

[11] Courts 106 €----87

106 Courts

106II Establishment, Organization, and Procedure 106II(G) Rules of Decision 106k87 k. Nature of Judicial Determination.

Most Cited Cases

(Formerly 92k1066, 92k81)

The public policy of the state is found in public laws, statutes and court decisions.

[12] Elections 144 \$\infty\$ 198

144 Elections

144VIII Conduct of Election 144k198 k. Constitutional and Statutory Provisions. Most Cited Cases

Since there can be no election without statutory warrant or law, a court is bound by written provision of election statute and not by public policy asserted to exist, but which is not manifested in a manner that has been recognized by the courts.

[13] Elections 144 € 235

144 Elections

144IX Count of Votes, Returns, and Canvass 144k235 k. Determination and Declaration of Result in General. Most Cited Cases

Withdrawal of Republican candidate for office of county clerk three days before elections, did not invalidate election of Democratic candidate, S.H.A. ch. 46, §§ 7-1, 7-2, 7-61, 10-7.

[14] Elections 144 222

144 Elections

144VIII Conduct of Election 144k222 k. Use of Voting Machines, Most Cited Cases

Re-election of county clerk was not invalid because of the fact that county clerk removed the name of his opponent from the ballots by locking levers on

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voting machines opposite opponent's name after opponent withdrew from election three days before election after allegedly being paid to do so by third person, since county clerk's act was a ministerial act well within his powers. S.H.A. ch. 46, § 16-5.

[15] Statutes 361 € 47

361 Statutes

3611 Enactment, Requisites, and Validity in General

361k45 Validity and Sufficiency of Provisions 361k47 k. Certainty and Definiteness. Most Cited Cases

The failure of a statute to specify every detail, step by step, and action by action, will not render the statute vague, indefinite, or uncertain from a constitutional standpoint.

[16] Elections 144 \$\infty\$279

144 Elections

144X Contests

144k279 k. Parties. Most Cited Cases

In election contest against successful candidate and candidate who withdrew from election three days before election after allegedly being paid to do so by third person, candidate who withdrew was not a "proper party" to the contest.

*470 **298 Appeal from Circuit Court, Rock Island County; Leonard E. Telleen, judge.

Election contest by Fred C. Bergeson and others against Samuel A. Mullinix, and another. From an adverse decree, the contestants appeal.

Decree affirmed.

*471 Oakleaf & Churchill (of Moline, Huber, Reidy & Katz), of Rock Island, and Werner W. Schroeder, of Chicago (Cyrus Churchill, of Moline, and Isador I. Katz, of Rock Island, of counsel), for appellants.

Sollo, Graham & Califf (of Moline, and Eagle & Eagle), of Rock Island, (Robert G. Graham, of Moline, Edward L. Eagle and Edward L. Eagle, Jr., both of Rock Island, of counsel), for appellees.

GUNN, Justice.

Fred C. Bergeson, et al., filed an election contest in the circuit court of Rock Island County against Samuel A. Mullinix, county clerk of Rock Island County, who was certified as being re-elected at the regular November election held November 5, 1946, and against William H. Fritz, a candidate at said election, who withdrew prior to election day. The plaintiffs are members of the Rock Island Republican central committee and qualified electors, and file the contest under section 19 of article 23 of the Election Code, Ill.Rev.Stat.1945, c. 46, s 23-19.

The facts in the case are somewhat unusual. Fritz was the duly and regularly nominated candidate for county clerk on the Republican ticket, and Mullinix the duly and regularly nominated candidate for county clerk on the Democratic ticket. Three days before the election Fritz withdrew his name as a candidate, and requested that his name not be printed on the official ballot. His name was withdrawn by the county clerk by locking the levers on the voting machines that would cast a vote in his favor at the election. The Republican county central committee did not, or could not, nominate a candidate in his place. In the election following Mullinix received the greater number of votes, although in the territory where the name of Fritz was not locked off from the ticket Fritz received a majority. The total vote certified and canvassed was 16,530 for Mullinix and 6,413 for Fritz.

*472 The charges in the petition are: (1) fraud, in that the withdrawal of the name of Fritz at the time and manner was the result of a conspiracy between Fritz and Mullinix; (2) that the county clerk had no authority to accept and file the withdrawal of Fritz at the time he did; and (3) that the action of Mullinix as county clerk in blocking the name of Fritz on the voting machines so that a ballot could not be cast in his favor constituted a mutilation of the ballot and rendered it void, so as to require all such ballots to be thrown out and not counted for any candidate.

The relief prayed for was: (a) that the court would enter an order annulling the general election held November 5, 1946, in so far as relates to the office of county clerk; (b) that the court would enter an order that the general election held November 5, 1946, be declared null and void as to said office, according to sections 26 and 29 of article 23 of the Election Code, Ill.Rev.Stat.1945, c. 46, ss 23-26, 23-29; and as an alternative plaintiffs prayed that the court would enter

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on order that all of **299 the ballots cast and registered on voting machines in the election districts where the levers opposite the name of the Republican candidate for county clerk were locked on election day, be discarded and treated as illegal ballots, and find that the only lawful ballots cast at said general election for the office of county clerk were those registered on voting machines where none of the levers were locked, and declare William H. Fritz as duly elected to the office of county clerk of Rock Island County.

The answer of Mullinix denies all of the acts claimed to constitute fraud; admits the facts as to the withdrawal of Fritz; the locking of the levers on the voting machines; and says his actions were lawful, and were done after consulting the proper authorities, and denies petitioners are entitled to relief. The answer of Fritz says his withdrawal was in good faith, and neither admits nor denies the other allegations in the petition.

After a hearing the trial court entered an order in the *473 nature of a final decree denying the relief prayed for in the petition, and declaring Mullinix to be duly elected to the office of county clerk.

The facts are comparatively simple. November 2, 1946, William H. Fritz mailed to the county clerk a statement or request for withdrawal, substantially as follows:

'November 1, 1946

Samuel A. Mullinix,

County Clerk,

Court House,

Rock Island, Illinois.

Dear Mr. Mullinix:

Because of personal reasons I have decided to withdraw as a candidate for County Clerk on the Republican ticket at the election November 5.

Please file my withdrawal which I am enclosing herewith.

Thanking you, I am,

Very truly yours,

William H. Fritz.'

The enclosure read as follows:

'To S. A. Mullinix,

Clerk of Rock Island County, Illinois.

I wish to withdraw as a candidate for County Clerk on the Republican ticket and request that my name be not printed on the ballot to be voted at the election of November 5, 1946.

Signed this 30th day of October, A.D. 1946.

William H. Fritz.'

This was duly acknowledged by a notary public, and both of these documents were received by the county clerk November 2, 1946. The evidence shows he immediately called the State's Attorney of Rock Island County, and sought his advice, and was instructed to accept the withdrawal and block the name of Fritz on the voting machines. He then called the chief clerk in charge of elections in the office of the Secretary of State, who advised Mullinix he could accept the withdrawal. On the same date he wrote a letter to Fred C. Bergeson, advising him of the withdrawal of Fritz, which was not received by Bergeson until Monday, November 4, 1946. However, Bergeson did hear *474 from Mullinix by telephone of the withdrawal on Sunday afternoon, November 3, 1946. On Saturday and Sunday Mullinix proceeded to block the name of Fritz on the voting machines, so it could not be voted on November 5, but did not unlock or tamper with the voting machines themselves.

The evidence shows Fritz did not tell any one of his intention to withdraw. He did not notify the Republican party. He testified he received \$400 from O. D. Kendall, a Republican, for his withdrawal. He did not know where the money came from, and said the withdrawal was signed at the request of Kendall. Kendall denies this statement. There is no evidence showing the Fritz ever talked with Mullinix, or with

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any one in his behalf, about the withdrawal of Fritz. Another candidate for office withdrew his name at the same time, and there is no proof that Mullinix, or this other party, ever talked about the withdrawal of either of the candidates.

Fritz further testifed he was a cripple, and could not get around very well. He testified he called Bergeson on the phone the day after the election, and asked him 'what do we do next,' and Bergeson replied 'there was nothing more that could be done,' and asked 'if I had got mine,' and Fritz replied 'I got some,' and he then **300 asked 'if I got it from Mullinix,' and Fritz said 'no;' and he asked if it came from the office of Mullinix, to which Fritz answered he did not know, and in talking with him he guessed it was all over, and he said 'I got mine,' and Fritz said 'I got some,' and then he said 'you do not need to expect anything else from the Republican Party.' 'So far as I know neither Mullinix nor the other candidate had any connection with my withdrawal.'

[1][2][3] This evidence is wholly insufficient to establish a conspiracy to which Mullinix was a party. The law is well settled that the burden is upon the plaintiff to prove the conspiracy charged in the bill by clear and convincing evidence.*475 Tribune Co. v. Thompson, 342 III. 503, 174 N.E. 561. Generally, a conspiracy is established largely by circumstantial evidence. A common design is the essence of the charge, and if it be proved that the defendants pursued by their acts the same object, by the same means, one performing one part and one another, a conspiracy may be inferred if the evidence is sufficient. Ochs v. People, 124 III. 399, 16 N.E. 662. The fraudulent scheme charged in the complaint was that Mullinix, or some one for him, would pay Fritz the sum of \$500. Fritz received a sum of money, but there is no proof that Mullinix was in any manner connected with the payment. The complaint charged that Fritz, as a part of the conspiracy, was to withdraw as a candidate, but he says he withdrew because of one Kendall, and not because of Mullinix.

[4] It is further charged that the withdrawal, as a part of the conspiracy, was not filed until it was impossible for the Republican managing committee to fill the vacancy. It was filed very late, but there is no proof, direct or circumstantial, that Mullinix had anything to do with causing this withdrawal. And the last act of the conspiracy charged was that the name of

Fritz should be blocked in the voting machines to be used for election. The name was blocked, but the evidence shows it was locked off because of the withdrawal of Fritz, and after the State's Attorney had advised it, and after the latter had been confirmed in his opinion by the chief election clerk in the office of the Secretary of State. In order to connect one with conspiracy there must be something to show an active participation of some sort by the parties charged with the confederation or meeting of the minds to effect the purpose intended. In this case the only acts are the separate acts of Mullinix and of Fritz, without any connection or confederation between them shown by any evidence, direct or circumstantial. The charge of conspiracy is not established by the evidence.

[5][6][7] The alternative relief sought was to declare Fritz *476 elected, although he was not a candidate because he had withdrawn his name, and could not be properly placed upon the ballot. There is nothing in the Election Code that has been called to our attention which requires a person to serve as a public officer if he does not wish to do so. The statute makes provision in the event a candidate should withdraw or decline the nomination, and the general rule seems to be that unless there is some statute requiring him to serve he may have his name removed from the ballot. Bordwell v. Williams, 173 Cal. 283, 159 P. 869, L.R.A.1917A, A.1917A, 996, Ann.Cas.1918E, 358; State v. Hunt, 53 Wyo. 267, 81 P.2d 883. The right to hold an election is not inherent, but must be conferred by the constitution or by Scown v. Czarnecki, 264 Ill. 305, 106 the statute. N.E. 276, L.R.A.1915B, 247, Ann.Cas.1915A, 772. We do have a statute providing for an election. It does not provide that a candidate who has withdrawn his name may be compelled to take an office. It provides that he may withdraw his candidacy, and since in this instance Fritz did withdraw his name, and cannot be compelled to serve, the alternative relief prayed for, that William H. Fritz be declared as duly elected to the office of county clerk of Rock Island County, cannot be granted because it is not authorized by law.

In this case the controversy seems to center largely around the right of Fritz to have his name withdrawn from the ballot at a time when it was practically impossible for the county central committee to fill the vacancy. Appellants claim that the withdrawal could be made only in accordance with section 7 of article 10 of **301 the Election Code,

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(Ill.Rev.Stat.1945, chap. 46, par. 10-7,) and is therefore void, leaving Fritz still upon the ticket. Appellees contend that section 7 of article 10 does not apply, but that the withdrawal was properly received under the provisions of section 61 of article 7, Ill.Rev.Stat.1945, c. 46, s 7-61.

[8] Without reciting all of the provisions and language of the statute, article 7 applies to nominations by political parties, which parties are declared to be those who cast *477 more than five per cent of the entire vote cast in the State; and in such case section 2 of article 7 provides that they shall be nominated in accordance with the provisions of this article 7. Article 10 provides for making nominations in certain other cases, and expressly provides that no nominations may be made under this article 10 by any established political party casting more than five per cent of the vote. A party polling five per cent or more of the votes comes under the designation of 'established political party.' We take judicial notice that the members of both the Republican and Democratic parties in 1946 constituted more than five per cent of the voting population, and hence said parties came under the designation of established political parties.

It seems, therefore, that article 7 of the Election Code applies to the nominations for the 'established political parties,' and article 10 applies to the nominations for minority parties. Each of these articles contains a provision applying to withdrawals. Section 7 of article 10 provides that the candidate may withdraw from any such nomination by request in writing, signed by him, duly acknowledged, and presented to the proper officer within five days after the last day allowed for the filing of the certificates of nomination, or nomination papers. Section 7 of article 10 also provides that after the five-day period allowed for the withdrawal of candidates has expired, any purported withdrawal filed after that time shall be null and void. On the other hand, sections 1 and 2 of article 7, III.Rev.Stat.1945, c. 46, ss 7-1, 7-2, provide that nominations made by parties polling over five per cent of the entire vote cast in the State are governed by article 7, and not otherwise. Section 61 of article 7 provides that in case a candidate, who has been nominated under the provision 'of this Article 7 shall die * * * or decline the nomination, or should the nomination for any other reason become vacant,' such vacancy may be filled by the managing committee of the majority *478 party. In section 61 of article 7 there is no time fixed within which the candidate must decline nomination, nor is there any time limitation as to the number of days it must be filed before election day. The only provision made for the situation in case of there being no candidate through either death or declination, is the provision giving authority to the managing committee of such major political party to nominate a new person.

The statute provides: (1) for making nominations for candidates for major political parties; and (2) for making nominations of candidates for minority parties, and each article provides the manner in which a vacancy or withdrawal of a candidate may be filled. The statute seems to recognize that the major parties, having party organizations, provide means by which they can rapidly and efficiently fill a vacancy, in case of death or withdrawal of a candidate. The minority parties, whose candidates are placed upon the ticket by petition, nominating conventions, or otherwise, do not have the fixed organization that the statute has seen fit to recognize, and therefore there is provided a different method for filling vacancies.

It is urged by appellants that section 61 of article 7 is a continuation of section 8 of the Ballot Act of 1891, Laws 1891, p. 107, and that previous to the adoption of the Election Code this court had held that section 8 had not been repealed by the Primary Act. It is true that in People ex rel. Schnackenberg v. Czarnecki, 256 Ill. 320, 100 N.E. 253, and People ex rel. McCormick v. Czarnecki, 266 III. 372, 107 N.E. 625, we held that section 8 of the Ballot Act had not been repealed by the adoption of the particular Primary Act then being considered. It is, of course, a matter of history that a number of primary acts were adopted by the legislature, and held invalid **302 by the Supreme Court for different reasons. The first act was passed in 1905, Laws 1905, p. 213, and the last in 1927, Laws 1927, p. 492. In each of these Primary acts there was a provision therein providing for the filling by the county central committee or the State *479 central committee, as the case might be, of vacancies caused by death or otherwise. It was following the Primary Act of 1909-1910, Laws 1910, p. 46, that the Czarnecki cases were announced. However, at the session of 1927, when the last Primary Election Act was enacted, the Ballot Act was at the same session amended, so that there was a provision in the latter act that the Ballot Act would not apply to any political party which at the last preceding election had polled two per cent or more

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of the entire vote voting in such election. The effect thereof was to change the law as announced in the Czarnecki cases, so that the provisions of such Ballot Act applied only to political parties casting less than two per cent of the vote.

The Election Code was enacted in 1943, and at the time of its enactment there was still incorporated in sections 3, 4 and 5 of the Ballot Act, (Ill.Rev.Stat.1941, chap. 46, pars. 290, 291 and 292) the same provisions contained in the 1927 amendments, except that the Ballot Act did not apply to political parties which had polled five per cent or more of the entire vote cast at the preceding election. This was the provision in the Ballot Act when the Election Code was adopted, and would seem to effectually negative appellants' position that section 61 of article 7 does not apply to major political parties by reason of anything contained in the Ballot Act.

[9][10] A great deal has been said about the construction of statutes, but construction is necessary only where the statute is ambiguous. In this case we think the statute is clear, and needs no further construction than to read the provisions thereof. People v. Lund, 382 III. 213, 46 N.E.2d 929.

Section 7 of article 10 provides for the filling of vacancies in the case of minority party candidates, and section 61 of article 7 provides a means for filling vacancies or withdrawals in the case of candidates of majority parties who are nominated under this article 7.

[11][12][13] It is contended, however, that there is a large question *480 of public policy, and that if the law is as construed by the circuit court it offers an opportunity for fraud and trickery in elections, which was not contemplated. The public policy of the State is found in the public laws, statutes and in the decisions of this court. Groome v. Freyn Engineering Co., 374 Ill. 113, 28 N.E.2d 274; Ziegler v. Illinois Trust and Savings Bank, 245 Ill. 180, 91 N.E. 1041, 28 L.R.A., N.S., 1112, 19 Ann. Cas. 127. And, since there can be no election without statutory warrant of law (People ex rel. Travis v. Rogier, 326 Ill. 310, 157 N.E. 177,) it would seem that we are bound by the written provision of the statute and not by public policy asserted to exist but which is not manifested in a manner that has been recognized by the courts. We are satisfied that the withdrawal of candidate Fritz from the

nomination for the office of county clerk was properly made under the provisions of the statute.

It is argued at great length that a fraud was committed upon the people, and that the election should be invalidated. It seems to be true that Fritz disregarded the moral obligation to be the candidate at the election, although he had been nominated by the Republican party. And it also appears that he withdrew from that nomination in consideration of being paid by some one, all of which is highly discreditable. We do not see, however, how it affects the validity of his withdrawal, provided it was not the result of a conspiracy by his opponent. We could with equal propriety say that if the contention of appellants were sustained it would be within the power of a venal candidate, by withdrawing, to render an entire election void by the fraud of one person alone. If there is a defect in the law it is for the legislature to correct, and not the courts.

[14] Appellants also contend that after Fritz had filed his withdrawal the county clerk had no right to take his name from the ballots by locking the levers on the voting machines opposite his name, because such action amounted to a judicial act, and was **303 therefore void. It is admitted that the county clerk has the right to perform ministerial acts, and *481 in fact, both parties agree that election officials, whether judges, clerk, or county clerk, can perform only the duties specified for them by the statute. Under the statute the county clerk has charge of the printing of the ballots at the election (article 16, sec. 5,) and is charged with the duty of delivering the ballots to each polling place not less than twelve hours before the election, and if, before the day of the election, ballots furnished any precinct are lost or destroyed, upon the proper application he may deliver additional ballots. Section 3 of article 16 also provides that the ballots are to contain only the names of the candidates to be voted for, and no other. Section 5 of article 16 provides that if any mistakes are discovered they shall be corrected by the county clerk without delay. Under section 11 of article 24, the voting machine provision requires the names of the candidates to be placed upon the ballots. We believe these provisions of the law not only authorize, but require the county clerk, as a ministerial act, to see that the proper name is on the ballot. If the candidate is dead, the ballot should be corrected; if he has withdrawn, he is no longer a candidate, and his name should not be upon the official ballot. While we

(Cite as: 399 III. 470, 78 N.E.2d 297)

have not been informed as to how the lock of the lever on the voting machines removed the name of Fritz from the ballot, yet since both parties seem to agree that this is what is effected by so doing, we can see no difference between taking a name off of the official ballot in this manner than by blotting the name off, or furnishing new ballots in cases where the voting machines are not in use.

[15] We have said many times, under different situations, that all of the precise details of carrying out a law do not necessarily need to be set out in the statute. What was said in People ex rel. Christensen v. Board of Education, 393 Ill. 345, 65 N.E.2d 825, 829, is applicable here. In that case the validity of the School Code, adopted by the legislature in 1945, was questioned in that in certain respects it was indefinite, and *482 did not precisely point out the details of carrying on school elections. We there said: 'The omission in the statute to specify every detail step by step, and action by action, will not render a law vague, indefinite or uncertain from a constitutional standpoint.' And further, we said in Husser v. Fouth, 386 III. 188, 53 N.E.2d 949, 954, (quoting from earlier decisions,) 'to establish the principle that whatever the Legislature shall do it shall do in every detail or else it will be undone, would, in effect, destroy the government. * * * The true distinction is between the delegation of power to make the law, which involves a discretion as to what the law shall be, and conferring an authority or discretion as to its execution, to be exercised under and in pursuance of the law. The first cannot be done; to the latter no objection can be made.'

The provisions of the law respecting the duties of the county clerk, except where voting machines are used, has been in effect a great many years. Undoubtedly many candidates have withdrawn and had their names removed from the ballot, without a judicial order. In fact, to require an order of the court to take the name of the candidate, who has withdrawn, off of the official ballot, in many cases, because of the time required, would render the provision for withdrawal useless and nugatory. We think the act of locking the name of Fritz from the official ballot was a ministerial act, well within the powers of the county clerk.

[16] It is to be observed in this respect that Fritz is not objecting. Fritz did not desire to be a candidate, and withdrew as such, and he is filing no contest, and

we believe if the act of removing his name from the ballot is to be questioned it should be challenged by the candidate and not by electors, who cannot put him in office, because he withdrew, and the only effect of which would be to declare an election utterly void, and leave the office vacant, requiring a new election. We do not believe Fritz was *483 a proper perty to the proceeding. Holt v. Willett, 252 Ill. 233, 96 N.E. 848, Ann.Cas.1912D, 264.

A great deal of discussion is contained in the briefs concerning the relation of the present Election Code to prior laws, and the effect of the adoption of sections of the prior law into the Election Code. We **304 have no means of knowing what the legislature had in mind, other than what has been placed in the law, and the headings under which the same have been placed. There have been many decisions affecting election laws, which would be pertinent to the decision of this case if the law had remained the same as it was at the time the decisions were announced, but it is doubtless because of some of these decisions that the legislature determined to codify the law, and arrange it in such order and sequence that it would be more readily understood in the future.

We recognize the wisdom and research of counsel. In this case they have given us practically all of the cases construing the law, from the early history to the present time. A large number of these cases fail in their purpose, because of the amendment and rearrangement of the Election Code. We are satisfied that the trial judge interpreted it correctly.

There are many points we have not discussed, and many points were discussed which we think irrelevant to the decision in this case, and to the end that it be clear what we have considered, we hold as follows: (1) that Fritz as a candidate of a majority party was entitled to withdraw from the nomination at any time prior to the general election; (2) that his withdrawal was governed by the provisions of section 61 of article 7, and the withdrawal of minority party candidates is governed by section 7 of article 10; (3) that the county clerk has a right in case of the withdrawal of a candidate for the major party, to take his name off of the official ballot, in case of voting machines, by locking the lever opposite the name of such *484 candidate; (4) that by so locking the name of a candidate, who has withdrawn from the official ballot, there has been no mutilation of the ballot, rendering such ballots illegal

(Cite as: 399 Ill. 470, 78 N.E.2d 297)

and void, and (5) that no fraud was perpetrated by Mullinix, or by any one with his connivance, or consent, which would invalidate the election to the office of county clerk.

There are many facts ancillary to the issues determinative of this case called to our attention, but which we have not considered, or commented upon, for the obvious reason that they have no relevancy to the proper consideration and decision of this case.

The order, in the nature of a decree, of the circuit court of Rock Island County was correct, and is accordingly affirmed.

Decree affirmed.

III. 1948 Bergeson v. Mullinix 399 III. 470, 78 N.E.2d 297

END OF DOCUMENT

STATE BOARD OF ELECTIONS

From the desk of Eric Donnewald

Director of Election Training/Resource Development

Phone: 217-782-1573

Email: edonnewald@elections.il.gov

To:

Rupert Borgsmiller, Executive Director

Re:

Statewide Initiative to the Illinois Constitution

Date:

March 8, 2012

This memo is to confirm that Richard G. Schuldt, Director of the Center for State Policy and Leadership at the University of Illinois-Springfield, will be submitting their final proposal for the development of a randomly selected signature sample method for statewide initiatives to the Illinois Constitution.

P.A. 97-0081 amended Section 28-11 of the Election Code stating:

"Signatures on petitions for constitutional amendments initiated pursuant to Article XIV, Section 3 of the Illinois Constitution need not be segregated by election jurisdiction. The Board shall design an alternative signature verification method for referenda initiated pursuant to Article XIV, Section 3 of the Illinois Constitution."

His recommendation will be submitted to the Board under separate cover prior to the March 19, 2012 meeting in Springfield.



Illinois State Board of Elections

Memorandum From the desk of Becky Glazier

TO: Rupert Borgsmiller, Executive Director

RE: Wisconsin Procedures for Petition Review

DATE: March 8, 2012

Cris Cray, Eric Donnewald and I met with Kevin Kennedy who is the Director and General Counsel of the Wisconsin Government Accountability Board to discuss Wisconsin's recall petition review process. The process included the recall for Governor, Lt. Governor and the six Senate seats.

The review of the petition looks at:

- 1) the format of the petition
- 2) a count of the signatures
- 3) legible addresses,
- 4) addresses are within the district and
- 5) each signature line is dated within the timeline.

Every signature on every page is counted to ascertain the number of signatures contained on the petition. Wisconsin has election day registration and a person does not have to be a registered voter to sign the petition. Per Wisconsin law, a qualified elector is not defined as a registered voter.

The Wisconsin Board contracted with an outside source to create a database and the Board hired temporary employees that entered every name into the database (no addresses) to check for duplicate signatures. A name is only stricken from the petition if it appears:

- 1) fictitious
- 2) a duplicate,
- 3) outside of the timeline, or
- 4) if the address is illegible.

If a signature appears to be fictitious it will be matched against the voter file. Other signatures are not matched again the voter file. Addresses are not verified -- an address is only checked if a duplicate name is found or it appears to be a fictitious name.

To date, the Wisconsin Board has spent \$400,000 for activities related to the recall for all six officeholders and has a pending request in to the legislature for supplemental funding. This does not include \$80,000 for police protection.

Our process is much different in Illinois as our statute requires random sampling and we have registration deadlines.

Memorandum

From the desk of....Cristina Cray, Director of Legislation
Phone: 217-782-1577
Email address: ccray@elections.state.il.us

To: Subject: Executive Director Rupert Borgsmiller National Conference of State Legislatures

Date:

March 5, 2012

Please be advised that we have once again been asked to help host the National Conference of State Legislatures to be held in Chicago August 6-9, 2012.

The Sessions will be held at McCormick Place with Doris Kearns Goodwin as the featured keynote speaker. The four following Chicago hotels will serve as the host hotels: the Hilton Chicago, the Hilton Palmer House, the Hyatt Chicago and the Hyatt McCormick Place.

I will forward more information as it becomes available.

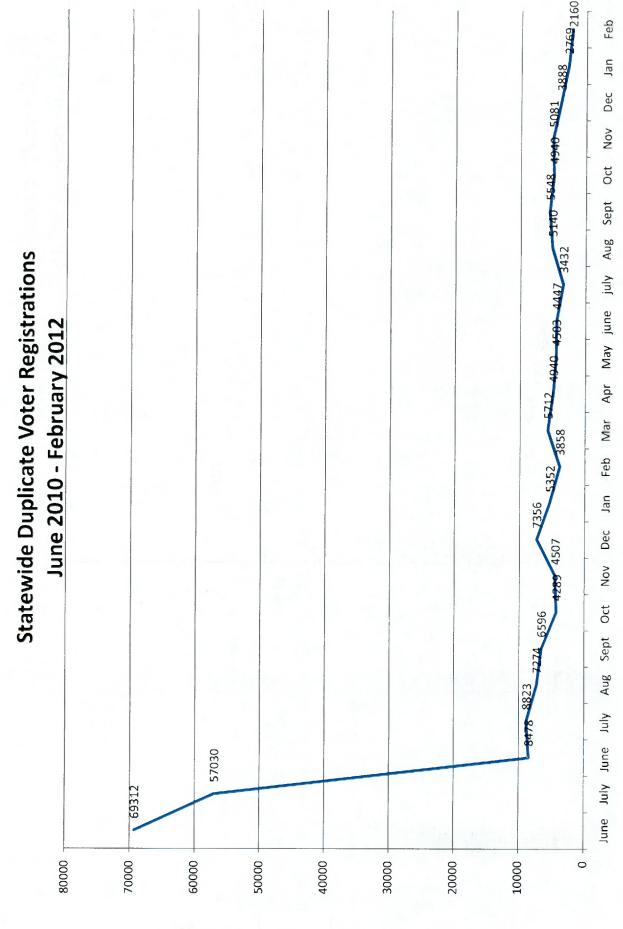
Thank you.

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g 5 8 8 7 2 6 10 4 3 3 3 5 6 7 9 6 8 7 3 6 2 13 2 4 39 2 2 23 35 20 9 14 19 22 30 34 35 40 101 14 11 16 20 18 17 8 4 19 5 10 10 10 12 15 20 24 12 34 17	City of East St. Louis	45	18	6	5	က	12	2	2	10	∞		903					5	7	2	1/23/2012
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8,823 7,274 6,596 4,289 4,507 7,356 5,352 3,858 5,712 4,940 4,503 4,447 3,432 5,140 5,548 4,940 5,081 3,888 2,769 2,160



County	Total Voters Registered as of	Census Total	% Reg. Vs. Total	18 years and	% Reg. vs. 18 and Over as of	% Reg. vs. 18 and Over as of
	3/7/2012	.db.	ropulation	Over #	1/31/2012	3/7/2012
ALEXANDER	7,444	8,238	%98.06	6,353	123.71%	117.17%
CLARK	12,663	16,335	77.52%	12,617	100.13%	100.36%
CLINTON	22,913	37,762	%89.09	29,180	78.06%	78.52%
HARDIN	3,141	4,320	72.71%	3,444	90.33%	91.20%
JASPER	6,688	9,698	%96'89	7,494	90.22%	89.24%
MASSAC	12,614	15,429	81.76%	11,911	105.43%	105.90%
MENARD	8,455	12,705	66.55%	9,704	87.13%	87.13%
MERCER	11,709	16,434	71.25%	12,714	91.40%	92.10%
OGLE	33,796	53,497	63.17%	40,253	83.78%	83.96%
PULASKI	5,551	6,161	90.10%	4,756	116.38%	116.72%
RICHLAND	12,216	16,233	75.25%	12,625	%96'96	%92.96
ROCK ISLAND	81,565	147,546	55.28%	114,359	%62.69	71.32%
STARK	4,035	5,994	67.32%	4,583	87.82%	88.04%
UNION	11,599	17,808	65.13%	13,980	82.45%	82.97%
City of East St. Louis	19,807	27,006	73.34%	19,098	101.18%	103.71%

STATE BOARD OF ELECTIONS



From the desk of Kyle Thomas

Director of Voter Registration Services

Phone: 217-782-1590

Email: kthomas@elections.il.gov

To:

Rupert T. Borgsmiller; Executive Director

Re:

4th EMS Meeting Recap

Date:

March 6, 2012

February 24 marked the fourth meeting of the Joint Committee to discuss the development of a Statewide Election Management System (EMS). Due in part to hectic schedules and poor weather conditions, attendance at this meeting was the lowest to date and included only:

Zone 2- Bill Blessman, Mason Co. Clerk

Zone 3- Steve Bean, Macon Co. Clerk

BEC's- Paul Shannon, Bloomington Board (asked by Lin Fechner of

Aurora to sit in on her behalf)

The meeting began with an overall recap of the purpose of this committee and what had been discussed at the previous three meetings. This was to give Paul some background, as this was the first of the EMS meetings he had attended.

Once the review was completed, our attention turned to the diagram of what the system could look like. I was asked to complete said diagram by the committee for discussion at this meeting, as many wanted a clearer understanding of what options would be available to them, if this project comes to fruition. Bill Blessman, who was one who originally made the request for a picture, was impressed with what was presented to the group. The group did recommend that I add Geographic Information System (GIS) capabilities to the proposal, which I have now done. The group also requested that I provide this diagram to all election authorities for comment.

With the capabilities and functionality being "out on the table" so to speak, we spent a good deal of this meeting discussing concerns that other election authorities may have and reasons some would be for or against this project. It was a good discussion and we were able to really concentrate on some of the misconceptions that are floating around. We were also able to talk on some detailed specifics and how this project can move forward.

Our next meeting will be in April, in conjunction with the Clerk and Recorders' Conference. Prior to that conference, I plan to provide all election authorities with the diagram for comment. I will be waiting until after the election to do so, in order to avoid this important information getting "lost in the shuffle".

STATE BOARD OF ELECTIONS INTER-OFFICE MEMORANDUM

From the desk of:

Michael Roate, Director of Administrative Services/CFO

TO: Members of the Board

SUBJECT: New Springfield Office – Facility Update

DATE: March 3, 2012

Moving and office development activities are largely completed for the MacArthur Boulevard facility relocation. Some 'mop-up' activities are still in process, however, as described below

Installation of emergency generator, still stored on back dock area

- Installation of dedicated light switches at the front and back entrances to the office area.
 Technical design is complete, but installation is temporarily delayed pending lessor (Town and Country Group) submission of required quotation paperwork to CMS for approval
- Completion of paperwork and necessary signatures for lease allowance spending between CMS and lessor (SBE portion of allowance paperwork is current and complete)
- Lack of hot water in rear restroom area, water heater is not working(resolved 3/2/12)
- Card swipe reader does not work for Board room front entrance (short circuit, possible rewire necessary back to control box)
- Some handicapped door activation buttons still not operating
- Ongoing rodent problem-pest control is placing traps throughout the office and dock areas

Work is in process to resolve the remaining tasks identified above, and it is expected that all outstanding issues will be fully resolved by the end of this month.

Administrative Services is currently preparing a summary report of move-related expenses; however, some bills from vendors are still outstanding at the time of this facility report. A summary chart of move-related costs will be provided at the March Board meeting under separate cover, using best estimates for those move-related costs that have not yet been invoiced.

Please let me know if you have any questions or comments.

AGENCY TOTALS MONTH ENDING: Feb. 29, 2012	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$4,280,100.00	\$2,511,108.78	\$0.00	\$1,768,991.22	58.67%
STATE PAID RETIREMENT	\$171,300.00	\$98,221.52	\$0.00	\$73,078.48	57.34%
RETIREMENT (inc. supplemental)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
SOCIAL SECURITY	\$327,600.00	\$185,956.33	\$0.00	\$141,643.67	56.76%
CONTRACTUAL SERVICE	\$1,265,700.00	\$421,025.04	\$222,819.02	\$621,855.94	33.26%
TRAVEL	\$128,200.00	\$34,735.24	\$0.00	\$93,464.76	27.09%
PRINTING	\$51,400.00	\$10,008.92	\$0.00	\$41,391.08	19.47%
COMMODITIES	\$39,500.00	\$18,552.17	\$0.00	\$20,947.83	46.97%
EQUIPMENT	\$157,800.00	\$53,939.08	\$0.00	\$103,860.92	34.18%
TELECOMMUNICATIONS	\$143,800.00	\$51,022.41	\$0.00	\$92,777.59	35.48%
OPERATION OF AUTO EQUIPMENT	\$4,900.00	\$858.42	\$0.00	\$4,041.58	17.52%
HAVA MAINTENANCE OF EFFORT	\$550,000.00	\$310,220.80	\$154,606.27	\$85,172.93	56.40%
ELECTION CODE BOOKS	\$15,000.00	\$0.00	\$0.00	\$15,000.00	0.00%
IVRS LUMP SUM - OPERATIONS	\$328,500.00	\$184,397.38	\$0.00	\$144,102.62	56.13%
INTEREST PAYMENTS	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
SUB-TOTAL (OPERATIONS)	\$7,463,800.00	\$3,880,046.09	\$377,425.29	\$3,206,328.62	51.98%
CO CLERK & RECORDER STIPENDS	\$806,000.00	\$0.00	\$0.00	\$806,000.00	0.00%
ELECTION JUDGE REIMBURSEMENT	\$1,347,100.00	\$0.00	\$0.00	\$1,347,100.00	0.00%
ELECTION JUDGES/EARLY VOTING	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
IVRS LUMP SUM - GRANTS	\$1,251,900.00	\$0.00	\$0.00	\$1,251,900.00	0.00%
REDISTRICTING	\$90,000.00	\$90,000.00	\$0.00	\$0.00	100.00%
ADDITIONAL STATE MATCH	\$2,700.00	\$2,690.00	\$0.00	\$10.00	0.00%
VOTING SYSTEMS INTEGRITY CENTER	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
ELEC. CANVASSING IMPLEMENTATION	\$300,000.00	\$189,484.58	\$71,507.77	\$39,007.65	63.16%
IDIS SYSTEM REPLACEMENT	\$82,300.00	\$0.00	\$0.00	\$82,300.00	0.00%
SUPP. APPROP IVRS	\$1,000,000.00	\$0.00	\$0.00	\$1,000,000.00	0.00%
SUPP. APPROP ELECTION DAY JUDGI	A	60.00	\$0.00	\$1,000,000.00	0.00%
	\$1,000,000.00	\$0.00	Ψ0.00	\$1,000,000.00	
SUB-TOTAL (GRANTS)	\$1,000,000.00	\$282,174.58	\$71,507.77	\$5,526,317.65	4.80%

BOARD	FY12	YEAR TO DATE		% OF
MONTH ENDING: Feb. 29, 2012	APPROPRIATION	EXPENDITURE	BALANCE	EXPENDITURE
CONTRACTUAL SERVICE				
1205 Freight Express & Drayage	\$2,500.00	\$590.13	\$1,909.87	23.61%
1221 Repair/Maint. Furn./Office Equipment				
1232 Rental Motor Vehicles	\$1,000.00	\$1,000.00	\$0.00	100.00%
1239 Rental, NEC				
1243 Book Binding Services				
1266 Court Reporting & Filing Services	\$17,000.00	\$10,312.75	\$6,687.25	60.66%
1274 Reg. Fees & Conf. Expenses (Vendor)	\$1,000.00	\$0.00	\$1,000.00	0.00%
1275 Subscriptions				
1276 Reg. Fees & Conf. Expenses (Employee)	\$100.00	\$0.00	\$100.00	0.00%
1277 Association Dues	\$100.00	\$0.00	\$100.00	0.00%
1279 Employee Tuition & Fees				
1280 Copying, Photographic & Printing Services	\$500.00	\$321.75	\$178.25	64.35%
1286 Travel, Non-State Employee				
1289 Contractual Services, NEC	\$500.00	\$441.05	\$58.95	88.21%
TRAVEL	\$19,000.00	\$10,551.29	\$8,448.71	55.53%
EQUIPMENT				
1510 Office Furniture & Equipment	\$700.00	\$0.00	\$700.00	0.00%
LUMP SUMS & OTHER PURPOSES				
1991 Interest Payments	\$0.00	\$0.00	\$0.00	0.00%

BOARD GRAND TOTAL	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE
CONTRACTUAL SERVICE	\$22,700.00	\$12,665.68		\$10,034.32
TRAVEL	\$19,000.00	\$10,551.29		\$8,448.71
EQUIPMENT	\$700.00	\$0.00		\$700.00
INTEREST PAYMENTS	\$0.00	\$0.00		\$0.00
TOTAL	\$42,400.00	\$23,216.97	\$0.00	\$19,183.03

STATE BOARD OF ELECTIONS FY12 MONTHLY FISCAL REPORT General Revenue Fund

ADMINISTRATION	FY12	YEAR TO DATE		% OF	
MONTH ENDING: Feb. 29, 2012	APPROPRIATION	EXPENDITURE	BALANCE	EXPENDITURE	
PERSONAL SERVICE	\$749,900.00	\$469,818.06	\$280,081.94	62.65%	
1129 State Paid Retirement	\$30,000.00	\$17,879.06	\$12,120.94	59.60%	
1161 Retirement	\$0.00	\$0.00	\$0.00	0.00%	
1161-008 Compt. Supplemental Retirement 1170 Social Security	\$0.00 \$57,400.00	\$0.00 \$34,810.95	\$0.00 \$22,589.05	0.00% 60.65%	
CONTRACTUAL SERVICE	\$37,400.00	454,610.95	\$22,569.05	00.03%	
1201 Petty Cash	\$500.00	\$0.00	\$500.00	0.00%	
1205 Freight Express & Drayage	\$700.00	\$0.00	\$700.00	0.00%	
1221 Repair/Maint. Furn./Office Equipment	\$10,100.00	\$5,680.74	\$4,419.26	56.24%	
1223 Repair/Maint. Real Property	\$4,000.00	\$0.00	\$4,000.00	0.00%	
1230 In-House Repair & Maintenance 1231 Rental, Office Equipment	\$35,800.00	\$1,402.53	\$34,397.47	3.92%	
1232 Rental, Motor Vehicles	\$4,600.00	\$1,000.00	\$3,600.00	21.74%	
1233 Rental, Real Property	\$325,000.00	\$200,848.39	\$124,151.61	61.80%	
1234 Rental, Machinery & Mechanical Eqmt					
1239 Rental, NEC	\$1,000.00	\$410.00	\$590.00	41.00%	
1240 Statistical & Tabulation Services 1245 Professional & Artistic	\$12,800.00	\$6,219.38	\$6,580.62	48.59%	
1248 Building & Grounds Maintenance	\$9,500.00	\$1,870.77	\$7,629.23	19.69%	
1251 Gas	\$10,400.00	\$558.01	\$9,841.99	5.37%	
1252 Electricity	\$80,900.00	\$29,842.61	\$51,057.39	36.89%	
1253 Water	\$1,400.00	\$675.45	\$724.55	48.25%	
1255 Utilities, NEC	\$900.00	\$468.09	\$431.91	52.01%	
1261 Postage 1266 Court Reporting	\$75,000.00	\$20,754.72	\$54,245.28	27.67%	
1274 Reg Fees & Conf. Expenses (Vendor)	\$800.00	\$530.00	\$270.00	66.25%	
1275 Subscription & Information Services	\$1,900.00	\$1,795.25	\$104.75	94.49%	
1276 Reg.Fees & Conf. Expenses (Employee)	\$800.00	\$0.00	\$800.00	0.00%	
1277 Association Dues	\$2,000.00	\$1,710.00	\$290.00	85.50%	
1279 Tuition - Employee					
1281 Interviewee Expense - To Vendors	0400.00	60.00	\$100.00	0.000/	
1285 Taxes, Licenses & Fees 1289 Contractual Services, NEC	\$100.00 \$3,900.00	\$0.00 \$3,802.87	\$100.00 \$97.13	0.00% 97.51%	
TRAVEL	ψο,500.00	\$5,002.01	Ψ57.13	37.3170	
1291 In-State	\$18,000.00	\$3,525.15	\$14,474.85	19.58%	
1292 Out-of-State	\$1,000.00	\$734.68	\$265.32	73.47%	
PRINTING	\$9,800.00	\$981.03	\$8,818.97	10.01%	
COMMODITIES 1304 Office/Library Supplies	\$12,400.00	\$5,427.25	\$6,972.75	43.77%	
1306 Foor for Human Consumption	\$100.00	\$38.55	\$61.45	38.55%	
1391 Household & Cleaning Supplies	\$2,900.00	\$1,133.85	\$1,766.15	39.10%	
1394 Office/Library Equip., Not exc. \$100	\$1,100.00	\$1,013.72	\$86.28	92.16%	
1398 Equipment, NEC	\$400.00	\$81.11	\$318.89	20.28%	
1399 Commodities, NEC EQUIPMENT	\$600.00	\$279.39	\$320.61	46.57%	
1510 Office Furniture & Equipment	\$2,100.00	\$2,084.63	\$15.37	99.27%	
1599 Equipment NEC	\$900.00	\$0.00	\$900.00	0.00%	
TELECOMMUNICATIONS					
1710 Repair/Maintenance Telecom					
1721 Rental, Telephone Serv. & Equip.	\$51,000.00	\$22,863.63	\$28,136.37	44.83%	
1722 Rental, Data Comm. Serv. & Equip.	\$81,200.00 \$6,400.00	\$24,772.68	\$56,427.32	30.51%	
1728 Videoconferencing 1729 Rental, Other Comm. Serv. & Equip.	\$3,700.00	\$3,386.10 \$0.00	\$3,013.90 \$3,700.00	52.91% 0.00%	
1730 Parts & Supplies for Telephone	\$1,500.00	\$0.00	\$1,500.00	0.00%	
1750 Telephone, Data, Radio & Other Equipment					
OPERATION OF AUTO EQUIPMENT					
1893 Repair & Maint., Auto. Equipment	\$1,800.00	\$75.98	\$1,724.02	4.22%	
1894 Parts & Fittings, Auto Equipment	\$200.00 \$2,900.00	\$0.00	\$200.00	0.00%	
1896 Gasoline, Oil & Antifreeze 1899 Auto. Expenses, NEC	\$2,900.00	\$782.44	\$2,117.56	26.98%	
LUMP SUMS & OTHER PURPOSES					
1991 Interest Payments	\$0.00	\$0.00	\$0.00	0.00%	
·					
	FY12	YEAR TO DATE	OBLIGATED		% OF
ADMINISTRATION GRAND TOTAL	APPROPRIATION	EXPENDITURE	MONEY	BALANCE	EXPENDITURE
PERSONAL SERVICE	\$749,900.00	\$469,818.06		\$280,081.94	62.65%
STATE PAID RETIREMENT	\$30,000.00	\$17,879.06		\$12,120.94	59.60%
RETIREMENT (incl. supplemental funding)	\$0.00	\$0.00		\$0.00	0.00%
SOCIAL SECURITY	\$57,400.00	\$34,810.95		\$22,589.05	60.65%
CONTRACTUAL SERVICE	\$582,100.00	\$277,568.81	\$159,389.00	\$145,142.19	47.68%
TRAVEL	\$19,000.00	\$4,259.83		\$14,740.17	22.42%
				\$8,818.97	10.01%
PRINTING	\$9,800.00	\$981.03 \$7.073.87			AP FECT
PRINTING COMMODITIES	\$9,800.00 \$17,500.00	\$7,973.87		\$9,526.13	45.56% 69.49%
PRINTING	\$9,800.00				45.56% 69.49% 35.48%
PRINTING COMMODITIES EQUIPMENT	\$9,800.00 \$17,500.00 \$3,000.00	\$7,973.87 \$2,084.63		\$9,526.13 \$915.37	69.49%
PRINTING COMMODITIES EQUIPMENT TELECOMMUNICATIONS	\$9,800.00 \$17,500.00 \$3,000.00 \$143,800.00	\$7,973.87 \$2,084.63 \$51,022.41	\$159,389.00	\$9,526.13 \$915.37 \$92,777.59	69.49% 35.48%

STATE BOARD OF ELECTIONS FY12 MONTHLY FISCAL REPORT General Revenue Fund

ELECTIONS MONTH ENDING: Feb. 29, 2012	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	BALANCE	% OF EXPENDITURE	
PERSONAL SERVICE	\$1,724,600.00	\$980,782.37	\$743,817.63	56.87%	
1129 State Paid Retirement	\$69,000.00	\$38,506.14	\$30,493.86	55.81%	
1161 Retirement	\$0.00	\$0.00	\$0.00	0.00%	
1161-008 Compt. Supplemental Retirement	\$0.00	\$0.00	\$0.00	0.00%	
1170 Social Security	\$132,000.00	\$72,662.27	\$59,337.73	55.05%	
CONTRACTUAL SERVICE					
1145 Contractual Payroll					
1202 Contractual reimbursement To Employee			3 1 1 1 1 1 1		
1205 Freight Express & Drayage	\$4,300.00	\$68.29	\$4,231.71	1.59%	
1221 Repair/Maint. Furn./Office Equipment	\$200.00	\$200.00	\$0.00	100.00%	
1231 Rental, Office Equipment					
1232 Rental, Motor Vehicles	\$100.00	\$0.00	\$100.00	0.00%	
1237 Rental, Film & Audio/Visual Aids	\$100.00 \$4,100.00	\$0.00 \$550.00	\$3,550.00	13.41%	
1239 Rental, NEC	\$4,100.00	\$550.00	\$3,550.00	13.4170	
1242 Auditing & Management Services 1245 Professional & Artistic Services, NEC					
1266 Court Reporting & Filing Services	\$300.00	\$290.00	\$10.00	96.67%	
1273 Advertising	. \$300.00	\$250.00	ψ10.00	30.07 70	
1274 Reg Fees & Conf. Expenses (Vendor)	\$4,000.00	\$0.00	\$4,000.00	0.00%	
1275 Subscription & Information Services	\$1,900.00	\$0.00	\$1,900.00	0.00%	
1276 Reg. Fees & Conf. Expenses (Employee)	\$1,300.00	\$0.00	\$1,300.00	0.00%	
1277 Association Dues	\$2,300.00	\$744.00	\$1,556.00	32.35%	
1279 Employee Tuition & Fees	\$2,900.00	\$170.00	\$2,730.00	5.86%	
1280 Copying, Photographic & Printing Services	\$1,000.00	\$0.00	\$1,000.00	0.00%	
1285 Operating Taxes, Licenses & Fees					
1286 Travel, Non-state Employees	\$300.00	\$290.44	\$9.56	96.81%	
1289 Contractual Services, NEC	\$23,700.00	\$1,722.82	\$21,977.18	7.27%	
TRAVEL	\$58,500.00	\$8,714.45	\$49,785.55	14.90%	
PRINTING	\$18,900.00	\$2,004.90	\$16,895.10	10.61%	
EQUIPMENT					
1510 Office Furniture & Equipment	\$5,000.00	\$1,222.62	\$3,777.38	24.45%	
LUMP SUMS & OTHER PURPOSES					
1991 Interest Payments	\$0.00	\$0.00	\$0.00	0.00%	
HAVA - Maintenance of Effort	\$550,000.00	\$310,220.80	\$239,779.20	56.40%	
ELECTION CODE BOOKS	\$15,000.00	\$0.00	\$15,000.00	0.00%	
Redistricting	\$90,000.00	\$90,000.00	\$0.00	100.00%	
Election Judge Reimbursements	\$1,347,100.00	\$0.00	\$1,347,100.00	0.00%	
Stipends	\$806,000.00	\$0.00	\$806,000.00	0.00%	
Early Voting Election Judges	\$0.00	\$0.00	\$0.00	0.00% 99.63%	
State HAVA Match	\$2,700.00	\$2,690.00 \$0.00	\$10.00 \$0.00	0.00%	
Voting System Integrity Center Electronic Canvassing Implementation	\$0.00 \$300,000.00	\$189,484.58	\$110,515.42	63.16%	
IDIS Replacement System	\$82,300.00	\$0.00	\$82,300.00	0.00%	
Supp. Approp Election Day Judge	\$1,000,000.00	\$0.00	\$1,000,000.00	0.00%	
Supp. Approp Liection Day Suage	\$1,000,000.00	\$ 0.00	\$1,000,000.00	0.0070	
	FY12	YEAR TO DATE	OBLIGATED		% OF
ELECTIONS GRAND TOTAL	APPROPRIATION	EXPENDITURE	MONEY	BALANCE	EXPENDITURE
PERSONAL SERVICE	\$1,724,600.00	\$980,782.37		\$743,817.63	56.87%
STATE PAID RETIREMENT	\$69,000.00	\$38,506.14		\$30,493.86	55.81%
RETIREMENT (incl. supplemental funding)	\$0.00	\$0.00		\$0.00	0.00%
SOCIAL SECURITY	\$132,000.00	\$72,662.27		\$59,337.73	55.05%
CONTRACTUAL SERVICE	\$46,400.00	\$4,035.55		\$42,364.45	8.70%
TRAVEL	\$58,500.00	\$8,714.45		\$49,785.55	14.90%
PRINTING	\$18,900.00	\$2,004.90		\$16,895.10	10.61%
EQUIPMENT	\$5,000.00	\$1,222.62		\$3,777.38	24.45%
HAVA - Maintenance of Effort	\$550,000.00	\$310,220.80	\$154,606.27	\$85,172.93	56.40%
ELECTION CODE BOOKS	\$15,000.00	\$0.00		\$15,000.00	0.00%
Redistricting	\$90,000.00	\$90,000.00		\$0.00	100.00%
Election Judge Reimbursements	\$1,347,100.00	\$0.00		\$1,347,100.00	0.00%
Stipends	\$806,000.00	\$0.00		\$806,000.00	0.00%
Early Voting Election Judges	\$0.00	\$0.00		\$0.00	0.00%
State HAVA Match	\$2,700.00	\$2,690.00		\$10.00	0.00%
Voting System Integrity Center	\$0.00	\$0.00	¢=4 FA= ==	\$0.00	0.00%
Electronic Canvassing Implementation	\$300,000.00	\$189,484.58	\$71,507.77	\$39,007.65	
IDIS Replacement System	\$82,300.00	\$0.00 \$0.00		\$82,300.00 \$1,000,000.00	0.00% 0.00%
Supp. Approp Election Day Judge	\$1,000,000.00	\$0.00		\$1,000,000.00	0.00%
INTEREST PAYMENTS	\$0.00		\$226,114.04	\$4,321,062.28	27.22%
TOTAL	\$6,247,500.00	\$1,700,323.68	\$2.20,114.04	φ4,3∠1,00∠.28	21.22/0

GENERAL COUNSEL	FY12	YEAR TO DATE		% OF
MONTH ENDING: Feb. 29, 2012	APPROPRIATION	EXPENDITURE	BALANCE	EXPENDITURE
PERSONAL SERVICE	\$289,700.00	\$179,723.98	\$109,976.02	62.04%
1129 State Paid Retirement	\$11,600.00	\$7,193.65	\$4,406.35	62.01%
1161 Retirement	\$0.00	\$0.00	\$0.00	0.00%
1170 Social Security	\$22,200.00	\$13,332.10	\$8,867.90	60.05%
CONTRACTUAL SERVICE				
1145 Contractual Payroll				
1202 Reimbursement to Employee	\$0.00	\$0.00	\$0.00	0.00%
1205 Freight Express & Drayage	\$500.00	\$0.00	\$500.00	0.00%
1221 Repair/Maint. Furn./Office Equipment				
1244 Legal Fees	\$60,000.00	\$47,809,98	\$12,190.02	79.68%
1245 Professional & Artistic Services, NEC				
1266 Court Reporting & Filing Services	\$15,200.00	\$15,180.49	\$19.51	99.87%
1273 Advertising				
1274 Reg Fees & Conf. Expenses (Vendor)	\$1,000.00	\$0.00	\$1,000.00	0.00%
1275 Subscription & Information Services	\$3,000.00	\$331.22	\$2,668.78	11.04%
1276 Reg. Fees & Conf. Expenses (Employee)	\$2,000.00	\$289.00	\$1,711.00	0.00%
1277 Association Dues	\$1,500.00	\$875.00	\$625.00	58.33%
1279 Employee Tuition & Fees	\$500.00	\$428.00	\$72.00	85.60%
1280 Copying, Photographic & Printing Services	\$700.00	\$0.00	\$700.00	0.00%
1284 Computer Software				
1289 Contractual Services, NEC	\$6,800.00	\$3,179.75	\$3,620.25	46.76%
TRAVEL	\$9,500.00	\$7,450.71	\$2,049.29	78.43%
EQUIPMENT				
1510 Office Furniture & Equipment	\$500.00	\$0.00	\$500.00	0.00%
LUMP SUMS & OTHER PURPOSES				
1991 Interest Payments	\$0.00	\$0.00	\$0.00	0.00%

GENERAL COUNSEL GRAND TOTAL	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$289,700.00	\$179,723.98		\$109,976.02	62.04%
STATE PAID RETIREMENT	\$11,600.00	\$7,193.65		\$4,406.35	62.01%
RETIREMENT	\$0.00	\$0.00		\$0.00	0.00%
SOCIAL SECURITY	\$22,200.00	\$13,332.10		\$8,867.90	60.05%
CONTRACTUAL SERVICE	\$91,200.00	\$68,093.44	28,190.02	(\$5,083.46)	74.66%
TRAVEL	\$9,500.00	\$7,450.71		\$2,049.29	78.43%
EQUIPMENT	\$500.00	\$0.00		\$500.00	0.00%
INTEREST PAYMENTS	\$0.00	\$0.00		\$0.00	0.00%
TOTAL	\$424,700.00	\$275,793.88	\$28,190.02	\$120,716.10	64.94%

STATE BOARD OF ELECTIONS FY12 MONTHLY FISCAL REPORT General Revenue Fund

CAMPAIGN DISCLOSURE MONTH ENDING: Feb. 29, 2012	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$797,300.00	\$443,972.37	\$353,327.63	55.68%
1129 State Paid Retirement	\$31,900.00	\$17,766.28	\$14,133.72	55.69%
1161 Retirement	\$0.00	\$0.00	\$0.00	0.00%
1161-0008 Compt. Supplemental Retirement	\$0.00	\$0.00	\$0.00	0.00%
1170 Social Security	\$61,000.00	\$32,558.20	\$28,441.80	53.37%
CONTRACTUAL SERVICE	401,000.00	402,000.20	5	00.07 70
1202 Employee Reimbursement	\$0.00	\$0.00	\$0.00	0.00%
1205 Freight Express & Drayage	\$100.00	\$5.83	\$94.17	5.83%
1221 Repair & Maint, Furn & Office Equipment	\$300.00	\$225.00	\$75.00	0.00%
1225 Repair & Maint, EDP			•	0.001.
1229 Repair & Maint, NEC				
1232 Rental, Motor Vehicles				
1239 Rental, NEC	\$3,200.00	\$0.00	\$3,200.00	0.00%
1245 Professional & Artistic Services, NEC	\$6,000.00	\$0.00	\$6,000.00	0.00%
1248 Building & Ground Maintenance		•	***************************************	
1266 Court Reporting & Filing Services				
1274 Reg Fees & Conf. Expenses (Vendor)	\$1,100.00	\$1.060.00	\$40.00	96.36%
1275 Subscription & Information Services		*		
1276 Reg. Fees & Conf. Expenses (Employee)				
1277 Association Dues				
1279 Employee Tuition and Fees	\$400.00	\$0.00	\$400.00	0.00%
1285 Operating Taxes, Licenses & Fees	•		***************************************	
1286 Travel, Non-State Employee				
1289 Contractual Services, NEC				
TRAVEL				
1291 In-State	\$8,000.00	\$269.46	\$7,730.54	3.37%
1292 Out-of-State	\$3,300.00	\$1,388.27	\$1,911.73	42.07%
PRINTING	\$22,000.00	\$7,022.99	\$14,977.01	31.92%
EQUIPMENT				
1510 Office Furniture & Equipment	\$9,300.00	\$1,679.25	\$7,620.75	18.06%
LUMP SUMS & OTHER PURPOSES				
1991 Interest Payments	\$0.00	0	\$0.00	0.00%

	FY12	YEAR TO DATE	OBLIGATED		% OF
CAMPAIGN DISCLOSURE GRAND TOTAL	APPROPRIATION	EXPENDITURE	MONEY	BALANCE	EXPENDITURE
PERSONAL SERVICE	\$797,300.00	\$443,972.37		\$353,327.63	55.68%
STATE PAID RETIREMENT	\$31,900.00	\$17,766.28		\$14,133.72	55.69%
RETIREMENT (incl. supplemental funding)	\$0.00	\$0.00		\$0.00	0.00%
SOCIAL SECURITY	\$61,000.00	\$32,558.20		\$28,441.80	53.37%
CONTRACTUAL SERVICE	\$11,100.00	\$1,290.83		\$9,809.17	11.63%
TRAVEL	\$11,300.00	\$1,657.73		\$9,642.27	14.67%
PRINTING	\$22,000.00	\$7,022.99		\$14,977.01	31.92%
EQUIPMENT	\$9,300.00	\$1,679.25		\$7,620.75	18.06%
INTEREST PAYMENTS	\$0.00	\$0.00		\$0.00	0.00%
TOTAL	\$943,900.00	\$505,947.65	\$0.00	\$437,952.35	53.60%

INFORMATION TECHNOLOGY MONTH ENDING: Feb. 29, 2012	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	BALANCE	% OF EXPENDITURE	
PERSONAL SERVICE	\$718,600.00	\$436,812.00	\$281,788.00	60.79%	
1129 State Paid Retirement	\$28,800.00	\$16,876.39	\$11,923.61	58.60%	
1161 Retirement	\$0.00	\$0.00	\$0.00	0.00%	
1161-0008 Compt. Supplemental Retirement	\$0.00	\$0.00	\$0.00	0.00%	
1170 Social Security	\$55,000.00	\$32,592.81	\$22,407.19	59.26%	
CONTRACTUAL SERVICE					
1145 Contractual Payroll					
1205 Freight Express & Drayage	\$100.00	\$14.25	\$85.75	14.25%	
1221 Repair/Maint. Furn./Office Equipment	\$13,000.00	\$125.48	\$12,874.52	0.97%	
1223 Repair/Maint. Real Property	\$1,200.00	\$1,117.83	\$82.17	0.00%	
1225 Repair/Maint. EDP Equipment	\$61,100.00	\$1,628.00	\$59,472.00	2.66%	
1230 In-House Repair of Equipment					
1234 Rental, Machinery and Mech. Equip					
1239 Rental, NEC					
1242 Auditing & Management Services	\$0.00	\$0.00	\$0.00	0.00%	
1244 Legal Fees					
1245 Professional & Artistic Services, NEC	\$284,500.00	\$0.00	\$284,500.00	0.00%	
1271 Surety Bond & Ins. Prem.	\$700.00	\$499.00	\$201.00	71.29%	
1272 Travel & Expense Reimbursement (Vendor)					
1274 Reg Fees & Conf. Expenses (Vendor)	\$6,000.00	\$0.00	\$6,000.00	0.00%	
1275 Subscription & Information Services	\$2,800.00	\$0.00	\$2,800.00	0.00%	
1276 Reg. Fees & Conf. Expenses (Employee)					
1277 Association Dues					
1279 Employee Tuition and Fees	\$5,000.00	\$0.00	\$5,000.00	0.00%	
1284 Computer Software	\$118,100.00	\$53,792.15	\$64,307.85	45.55%	
1285 Operating Taxes, Licenses & Fees	******		200	200	
1286 Travel, Non-State Employee	\$200.00	\$194.02	\$5.98	97.01%	
1289 Contractual Services, NEC	\$19,500.00	\$0.00	\$19,500.00	0.00%	
TRAVEL	05 500 00	00 101 00	*********	00.000/	
1291 In-State	\$5,500.00	\$2,101.23	\$3,398.77	38.20%	4.77
1292 Out-of-State	\$5,400.00	\$0.00	\$5,400.00	0.00%	
PRINTING	\$700.00	\$0.00	\$700.00	0.00%	
COMMODITIES	604 400 00	CO 004 50	644 005 47	40.750/	
1304 Office/Library Supplies	\$21,100.00	\$9,864.53	\$11,235.47	46.75%	
1332 Industrial & Shop Materials	6400.00	\$00.0E	¢17.06	00 250/	
1395 Small Tools < \$100 1398 Equipment, NEC	\$100.00 \$600.00	\$82.35 \$517.61	\$17.65 \$82.39	82.35% 86.27%	
1399 Commodities, NEC	\$200.00	\$113.81	\$86.19	56.91%	MUNICIPAL ST
EQUIPMENT	\$200.00	\$115.01	\$00.19	30.9176	
1510 Office Furniture & Equipment	\$400.00	\$332.58	\$67.42	0.00%	
1515 EDP Equipment	\$138,900.00	\$48.620.00	\$90,280.00	35.00%	
LUMP SUMS & OTHER PURPOSES	Ψ100,000.00	Ψ-0.020.00	4 30,200.00	05.0070	
1991 Interest Payments	\$0.00	\$0.00	\$0.00	0.00%	
, at a microsit a symbolic	40.00	40.00	, 40.00	0.0075	
					4
(MEODIA TION TECHNICIA CON COLUMNIA C	FY12	YEAR TO DATE	OBLIGATED		% OF
INFORMATION TECHNOLOGY GRAND TOTAL	APPROPRIATION	EXPENDITURE	MONEY	BALANCE	EXPENDITURE
PERSONAL SERVICE	\$718,600.00	\$436,812.00		\$281,788.00	60.79%
STATE PAID RETIREMENT	\$28,800.00	\$16,876.39		\$11,923.61	58.60%
RETIREMENT	\$0.00	\$0.00		\$0.00	0.00%
SOCIAL SECURITY	\$55,000.00	\$32,592.81		\$22,407.19	59.26%
CONTRACTUAL SERVICE	\$512,200.00	\$57,370.73	\$35,240.00	\$419,589.27	11.20%
TRAVEL	\$10,900.00	\$2,101.23		\$8,798.77	19.28%
PRINTING	\$700.00	\$0.00		\$700.00	0.00%
COMMODITIES	\$22,000.00	\$10,578.30		\$11,421.70	48.08%
EQUIPMENT	\$139,300.00	\$48,952.58		\$90,347.42	35.14%
INTEREST PAYMENTS	\$0.00	\$0.00		\$0.00	0.00%
TOTAL	\$1,487,500.00	\$605,284.04	\$35,240.00	\$846,975.96	40.69%

1205 Freight Express & Drayage 1221 Repair/Maint. Furn./Office Equipment 1232 Rental Motor Vehicles 1239 Rental, NEC 1242 Auditing & Management Services 1243 Book Binding Services	\$164,828.50 \$6,595.29 \$11,921.19
1161 Retirement 1170 Social Security CONTRACTUAL SERVICE 1205 Freight Express & Drayage 1221 Repair/Maint. Furn./Office Equipment 1232 Rental Motor Vehicles 1239 Rental, NEC 1242 Auditing & Management Services 1243 Book Binding Services	\$6,595.29
1170 Social Security CONTRACTUAL SERVICE 1205 Freight Express & Drayage 1221 Repair/Maint. Furn./Office Equipment 1232 Rental Motor Vehicles 1239 Rental, NEC 1242 Auditing & Management Services 1243 Book Binding Services	
CONTRACTUAL SERVICE 1205 Freight Express & Drayage 1221 Repair/Maint. Furn./Office Equipment 1232 Rental Motor Vehicles 1239 Rental, NEC 1242 Auditing & Management Services 1243 Book Binding Services	\$11,921.19
1205 Freight Express & Drayage 1221 Repair/Maint. Furn./Office Equipment 1232 Rental Motor Vehicles 1239 Rental, NEC 1242 Auditing & Management Services 1243 Book Binding Services	
1221 Repair/Maint. Furn./Office Equipment 1232 Rental Motor Vehicles 1239 Rental, NEC 1242 Auditing & Management Services 1243 Book Binding Services	
1232 Rental Motor Vehicles 1239 Rental, NEC 1242 Auditing & Management Services 1243 Book Binding Services	
1239 Rental, NEC 1242 Auditing & Management Services 1243 Book Binding Services	
1242 Auditing & Management Services 1243 Book Binding Services	
1243 Book Binding Services	
1266 Court Reporting & Filing Services	
1274 Reg. Fees & Conf. Expenses (Vendor)	
1275 Subscriptions	
1276 Reg. Fees & Conf. Expenses (Employee)	
1277 Association Dues	
1279 Employee Tuition & Fees	
1280 Copying, Photographic & Printing Services 1284 Computer Software	\$1.052.40
1286 Travel, Non-State Employee	\$1,002.40
1289 Contractual Services, NEC	
TRAVEL	
COMMODITIES	
1304 Office Supplies	
1398 Equipment Less than \$100	
EQUIPMENT	
1510 Office Furniture & Equipment	
LUMP SUMS & OTHER PURPOSES	
1991 Interest Payments	
LOCAL GRANTS	
4453 Reimbursement to Governmental Units	
4458 Services, NEC	
4470 Grants to Local Governments	
4479 Payments to Other State Agencies	
SUPP. APPROP IVRS	
LUMP SUM - OPERATIONS APPROP FOR YEAR	\$328,500.00
TOTAL LUMP SUM - OPERATIONS EXPENDITURES	
REMAINING LUMP SUM APPROPRIATION	\$144,102.62
LUMP SUM - GRANTS APPROP FOR YEAR	\$1,251,900.00
TOTAL LUMP SUM - GRANT EXPENDITURES	\$0.00
REMAINING LUMP SUM APPROPRIATION	\$1,251,900.00
LUMP SUM TOTAL APPROPRIATION	\$1,580,400.00
TOTAL LUMP SUM EXPENDITURES	\$184,397.38
REMAINING LUMP SUM APPROPRIATION	\$1,396,002.62
SUPP. APPROP - IVRS	\$1,000,000.00
TOTAL SUPP. APPROP IVRS	\$1,000,000.00
REMAINING SUPP. APPROP IVRS	\$1,000,000.00

AGENCY TOTALS MONTH ENDING: Feb. 29, 2012	SECTION 101 Discretionary Funds	SECTION 102 Entitlement Payments	SECTION 261 <u>EAID</u> Disbursements	SECTION 251 Requirements	SECTION 251 Additional Requirements	TOTAL Fund Activity
						4
CASH BALANCE AT BEGINNING OF YR	\$2,409,908.25	\$0.00	-\$80,713.82	\$5,700,043.64	\$11,787,751.01	\$19,816,989.08
Program Revenues from Federal Govt Miscellaneous Revenues			\$89,305.82			\$89,305.82 \$0.00
Interest Earned on IOC Balances Interest Penalties Received	\$4,589.37			\$16,616.29	\$30,608.34	\$51,814.00 \$0.00
EAC-Mandated Transfers of Interest State Match Receipts	-\$1,232,597.16			\$1,232,597.16		\$0.00 \$0.00
TOTAL CASH REVENUES	-\$1,228,007.79	\$0.00	\$89,305.82	\$1,249,213.45	\$30,608.34	\$141,119.82

YEAR TO DATE CASH EXPENDITURES	No Assessment					
PERSONAL SERVICE	\$49,612.00	\$0.00	\$0.00	\$0.00	\$0.00	\$49,612.00
STATE-PAID RETIREMENT	\$1,985.14	\$0.00	\$0.00	\$0.00	\$0.00	\$1,985.14
RETIREMENT	\$16,967.70	\$0.00	\$0.00	\$0.00	\$0.00	\$16,967.70
SOCIAL SECURITY	\$3,626.68	\$0.00	\$0.00	\$0.00	\$0.00	\$3,626.68
GROUP INSURANCE	\$15,100.96	\$0.00	\$0.00	\$0.00	\$0.00	\$15,100.96
CONTRACTUAL SERVICE	\$9,349.51	\$0.00	\$0.00	\$134,185.77	\$0.00	\$143,535.28
TRAVEL	\$15,586.64	\$0.00	\$0.00	\$0.00	\$0.00	\$15,586.64
PRINTING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
COMMODITIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
EQUIPMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TELECOMMUNICATIONS	\$201.62	\$0.00	\$0.00	\$0.00	\$0.00	\$201.62
OPERATION OF AUTO. EQUIPMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COST REFUNDS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
SUB-TOTAL CASH EXPENDITURES (OPERATIONS)	\$112,430.25	\$0.00	\$0.00	\$134,185.77	\$0.00	\$246,616.02
AWARDS & GRANTS	\$0.00	\$0.00	\$23,824.54	\$175,932.32	\$1,246,416.37	\$1,446,173.23
TOTAL CASH EXPENDITURES	\$112,430.25	\$0.00	\$23,824.54	\$310,118.09	\$1,246,416.37	\$1,692,789.25

CASH BALANCE AT END OF MONTH	\$1,069,470.21	\$0.00	-\$15,232.54	\$6,639,139.00 \$10,571,942.98	\$18,265,319.65

RANTS	\$0.00	\$0.00	
	AA AA	** **	
IDIRECT COST REFUNDS	\$0.00	\$0.00	
PERATION OF AUTO EQUIPMENT	\$201.82	\$0.00	
QUIPMENT ELECOMMUNICATIONS	\$0.00 \$201.62	\$0.00 \$201.62	
OMMODITIES	\$0.00 \$0.00	\$0.00	
RINTING	\$0.00	\$0.00	
RAVEL	\$15,586.64	\$15,586.64	
ROUP INSURANCE ONTRACTUAL SERVICE	\$15,100.96 \$9,349.51	\$9,349.51	
OCIAL SECURITY	\$3,626.68 \$15,100.96	\$3,626.68 \$15,100.96	
ETIREMENT	\$16,967.70	\$16,967.70	
TATE PAID RETIREMENT	\$1,985.14	\$1,985.14	
ERSONAL SERVICE	\$49,612.00	\$49,612.00	
ECTION 101 GRAND TOTAL	APPROPRIATION	EXPENDITURE	MONEY
1479 Payments to Other State Agencies	FY12	YEAR TO DATE	OBLIGATED
1470 Grants to Local Governments (AAG) 1470 Grants to Local Governments			
1470 Grants to Local Governments (EAI)			
1470 Grants to Local Governments (PPA)			
1458 Services, NEC			
RANTS 1453 Reimbursement to Governmental Units			
1993 Indirect Cost Allocation Refund			
DIRECT COST REFUNDS			
I898 Automotive Services, NEC I899 Automotive Expenses, NEC			
1896 Gasoline, Oil & Antifreeze			
1894 Parts & Fittings, Automotive Equipment			
1893 Repair & Maint., Automotive Equipment			
1799 Telecommunication Services, NEC PERATION OF AUTO EQUIPMENT			
1750 Telephone, Data, Radio & Other Equip.			
1730 Parts & Supplies for Telephone 1740 Answering & Pag. Comm. Serv. Equip.			
I729 Rental, Other Comm. Serv. & Equip. I730 Parts & Supplies for Telephone			
1728 Video Conferencing			
1722 Rental, Data Comm. Serv. & Equip.		the state of the state of	
1721 Rental, Telephone Serv. & Equip.	\$201.62	\$201.62	
ELECOMMUNICATIONS			
6625 Leasehold Improvements			
I515 EDP Equipment I561 Training Equipment			
1510 Office Furniture & Equipment			
QUIPMENT			
1399 Commodities, NEC			
1398 Equipment, NEC			
1308 Educational & Instructional Materials 1394 Office/Library Equip., Not Exceed. \$100			
I 304 Office/Library Supplies I 308 Educational & Instructional Materials			
OMMODITIES 1304 Office/Library Supplies			
RINTING			
1292 Out-of-State	\$4 ,310.77	\$4.310.77	
1291 In-State & 1293 In-State (to vendor)	\$11,275.87	\$11,275.87	
RAVEL			
1286 Travel, Reimb. to Non-State Employees 1289 Contractual Services, NEC			
I284 Computer Software I286 Travel, Reimb. to Non-State Employees			
1280 Copying, Photographic & Printing Serv.			
276 Registration Fees & Conf. Exp. (Employee)	\$1,393.00	\$1,393.00	
1273 Adventising	\$495.00	\$495.00	
1266 Court Reporting & Filing Services 1273 Advertising			
1261 Postage			
1245 Professional & Technical Services, NEC			
1244 Legal Fees			
1242 Auditing & Management Services 1243 Book Binding & Processing Services			
1239 Rental, NEC			
1237 Rental, Film & Audio/Visual Aids			
1232 Rental, Motor Vehicles			
1231 Rental, Office Equipment			
1225 Repair & Maintenance, EDP Equip.	\$7,388.00	\$7,388.00	
1205 Freight Express/Drayage 1223 Repair & Maintenance Real Property	\$73.51	\$73.31	
ONTRACTUAL SERVICE	\$73.51	\$73.51	
1180 Group Insurance	\$15,100.96	\$15,100.96	
1170 Social Security	\$3,626.68	\$3,626.68	
1161 Retirement	\$16,967.70	\$16,967.70	
ERSONAL SERVICE 1129 State Paid Retirement	\$1,985.14	\$1,985.14	
EDSONAL SERVICE	\$49,612.00	\$49,612.00	
ONTH ENDING: Feb. 29, 2012	APPROPRIATION	EXPENDITURE	

Help Illinois Vote Fund

SECTION 102 - ENTITLEMENT PAYMENTS MONTH ENDING: Feb. 29, 2012

FY12 **APPROPRIATION** YEAR TO DATE **EXPENDITURE**

PERSONAL SERVICE

1129 State Paid Retirement

1161 Retirement

1170 Social Security

CONTRACTUAL SERVICE

1205 Freight Express/Drayage

1225 Repair & Maintenance, EDP Equip.

1231 Rental, Office Equipment

1237 Rental, Film & Audio/Visual Aids

1239 Rental, NEC

1242 Auditing & Management Services

1243 Book Binding & Processing Services

1244 Legal Fees

1245 Professional & Technical Services, NEC

1261 Postage

1266 Court Reporting & Filing Services

1274 Registration Fees & Conf. Exp. (Vendor)

1276 Registration Fees & Conf. Exp. (Employee)

1280 Copying, Photographic & Printing Serv.

1284 Computer Software

1289 Contractual Services, NEC

TRAVEL

1291 In-State

1292 Out-of-State

PRINTING

COMMODITIES

1304 Office/Library Supplies

1394 Office/Library Equip., Not Exceed. \$100

1398 Equipment, NEC

1399 Commodities, NEC

EQUIPMENT

1510 Office Furniture & Equipment

1515 EDP Equipment

1599 Equipment, NEC

TELECOMMUNICATIONS

1721 Rental, Telephone Serv. & Equip.

1722 Rental, Data Comm. Serv. & Equip.

1728 Video Conferencing

1729 Rental, Other Comm. Serv. & Equip.

1730 Parts & Supplies for Telephone

1740 Answering & Pag. Comm. Serv. Equip.

1750 Telephone, Data, Radio & Other Equip.

1799 Telecommunication Services, NEC

OPERATION OF AUTO EQUIPMENT

1893 Repair & Maint., Automotive Equipment

1894 Parts & Fittings, Automotive Equipment

1896 Gasoline, Oil & Antifreeze

1898 Automotive Services, NEC

1899 Automotive Expenses, NEC

GRANTS

4453 Reimbursement to Governmental Units

4458 Services, NEC

4470 Grants to Local Governments, NEC

	FY12	YEAR TO DATE	OBLIGATED
SECTION 102 GRAND TOTAL	APPROPRIATION	EXPENDITURE	MONEY
PERSONAL SERVICE	\$0.00	\$0.00	
STATE PAID RETIREMENT	\$0.00	\$0.00	
RETIREMENT	\$0.00	\$0.00	
SOCIAL SECURITY	\$0.00	\$0.00	
CONTRACTUAL SERVICE	\$0.00	\$0.00	
TRAVEL	\$0.00	\$0.00	
PRINTING	\$0.00	\$0.00	
COMMODITIES	\$0.00	\$0.00	
EQUIPMENT	\$0.00	\$0.00	
TELECOMMUNICATIONS	\$0.00	\$0.00	
OPERATION OF AUTO EQUIPMENT	\$0.00	\$0.00	
GRANTS	\$0.00	\$0.00	
TOTAL	*1.00	\$0.00	\$0.00

Help Illinois Vote Fund

SECTIO	N 261	- EAII	DISE	BURSE	MENTS
MONTH	ENDIT	NG: F	eb. 29.	2012	

FY12 APPROPRIATION YEAR TO DATE EXPENDITURE

PERSONAL SERVICE

1129 State Paid Retirement

1161 Retirement

1170 Social Security

CONTRACTUAL SERVICE

1205 Freight Express/Drayage

1225 Repair & Maintenance, EDP Equip.

1231 Rental, Office Equipment

1237 Rental, Film & Audio/Visual Aids

1239 Rental, NEC

1242 Auditing & Management Services

1243 Book Binding & Processing Services

1244 Legal Fees

1245 Professional & Technical Services, NEC

1261 Postage

1266 Court Reporting & Filing Services

1274 Registration Fees & Conf. Exp. (Vendor)

1276 Registration Fees & Conf. Exp. (Employee)

1280 Copying, Photographic & Printing Serv.

1284 Computer Software

1289 Contractual Services, NEC

TRAVEL

1291 In-State

1292 Out-of-State

PRINTING

COMMODITIES

1304 Office/Library Supplies

1394 Office/Library Equip., Not exc. \$100

1398 Equipment, NEC

1399 Commodities, NEC

EQUIPMENT

1510 Office Furniture & Equipment

1515 EDP Equipment

1599 Equipment, NEC

TELECOMMUNICATIONS

1721 Rental, Telephone Serv. & Equip.

1722 Rental, Data Comm. Serv. & Equip.

1728 Video Conferencing

1729 Rental, Other Comm. Serv. & Equip.

1730 Parts & Supplies for Telephone

1740 Answering & Pag. Comm. Serv. Equip.

1750 Telephone, Data, Radio & Other Equip.

1799 Telecommunication Services, NEC

OPERATION OF AUTO EQUIPMENT

1893 Repair & Maint., Automotive Equipment

1894 Parts & Fittings, Automotive Equipment

1896 Gasoline, Oil & Antifreeze

1898 Automotive Services, NEC

1899 Automotive Expenses, NEC

GRANTS

4453 Reimbursement to Governmental Units

4470 Grants to Local Governments (VAID II)

4470 Grants to Local Governments (VAID III)

\$23,824.54

\$23,824.54

	FY12	YEAR TO DATE	OBLIGATED
SECTION 261 GRAND TOTAL	APPROPRIATION	EXPENDITURE	MONEY
PERSONAL SERVICE	\$0.00	\$0.00	
STATE PAID RETIREMENT	\$0.00	\$0.00	
RETIREMENT	\$0.00	\$0.00	
SOCIAL SECURITY	\$0.00	\$0.00	
CONTRACTUAL SERVICE	\$0.00	\$0.00	
TRAVEL	\$0.00	\$0.00	
PRINTING	\$0.00	\$0.00	
COMMODITIES	\$0.00	\$0.00	
EQUIPMENT	\$0.00	\$0.00	
TELECOMMUNICATIONS	\$0.00	\$0.00	
OPERATION OF AUTO EQUIPMENT	\$0.00	\$0.00	
GRANTS	\$23,824.54	\$23,824.54	
TOTAL	\$23,824.54	\$23,824.54	\$0.00

SECTION 251 - REQUIREMENTS MONTH ENDING: Feb. 29, 2012	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	
PERSONAL SERVICE			
1129 State Paid Retirement 1161 Retirement			
1170 Social Security			
1180 Group Insurance			
CONTRACTUAL SERVICE 1205 Freight Express/Drayage			
1223 Repair & Maintenance Real Property 1225 Repair & Maintenance, EDP Equip. 1231 Rental, Office Equipment			
1232 Rental, Motor Vehicles 1237 Rental, Film & Audio/Visual Aids			
1239 Rental, NEC 1242 Auditing & Management Services	\$95,374.92	\$95,374.92	
1243 Book Binding & Processing Services 1244 Legal Fees 1345 Brotonsianal & Technical Services NEC	\$5,801.40	\$5.801.40	
1245 Professional & Technical Services, NEC 1261 Postage 1266 Court Reporting & Filing Services 1273 Advertising	53,001.40	33,801.40	
1274 Registration Fees & Conf. Exp. (Vendor) 1276 Registration Fees & Conf. Exp. (Employee) 1280 Copying, Photographic & Printing Serv.			
1284 Computer Software 1289 Contractual Services, NEC	\$33,009.45	\$33,009.45	
TRAVEL 1291 In-State			
1292 Out-of-State			
PRINTING COMMODITIES			
1304 Office/Library Supplies			
1308 Educational & Instructional Materials 1394 Office/Library Equip., Not Exceed. \$100			
1398 Equipment, NEC 1399 Commodities, NEC			
EQUIPMENT 1510 Office Furniture & Equipment			
1515 EDP Equipment 1561 Training Equipment			
6625 Leasehold Improvements TELECOMMUNICATIONS			
1721 Rental, Telephone Serv. & Equip. 1722 Rental, Data Comm. Serv. & Equip. 1728 Video Conferencing			
1729 Rental, Other Comm. Serv. & Equip. 1730 Parts & Supplies for Telephone			
1740 Answering & Pag. Comm. Serv. Equip. 1750 Telephone, Data, Radio & Other Equip.			
1799 Telecommunication Services, NEC OPERATION OF AUTO EQUIPMENT			
1893 Repair & Maint., Automotive Equipment 1894 Parts & Fittings, Automotive Equipment			
1896 Gasoline, Oil & Antifreeze 1898 Automotive Services, NEC			
1899 Automotive Expenses, NEC INDIRECT COST REFUNDS			
1993 Indirect Cost Allocation Refund GRANTS 4453 Reimbursement to Govt Units (AVE)			
4453 Reimbursement to Govt Units (AVE)			
4453 Reimbursement to Govt Units (ALA)	\$175,932.32	\$175,932.32	
4453 Reimbursement to Govt Units (EDG) 4470 Grants to Local Governments (VRS)			
4479 Payments to Other State Agencies	FY12	YEAR TO DATE	OBLIGATED
SECTION 251 (OLD REQ) GRAND TOTAL	APPROPRIATION	EXPENDITURE	MONE
PERSONAL SERVICE STATE PAID RETIREMENT	\$0.00 \$0.00	\$0.00 \$0.00	
RETIREMENT	\$0.00	\$0.00	
SOCIAL SECURITY	\$0.00	\$0.00	
GROUP INSURANCE	\$0.00	\$0.00	
CONTRACTUAL SERVICE	\$134,185.77	\$134,185.77	\$1,146,097.2
TRAVEL	\$0.00	\$0.00	
PRINTING	\$0.00	\$0.00	
COMMODITIES	\$0.00 \$0.00	\$0.00 \$0.00	
EQUIPMENT TELECOMMUNICATIONS	\$0.00	\$0.00	
OPERATION OF AUTO EQUIPMENT	\$0.00	\$0.00	
INDIRECT COST REFUNDS	\$0.00	\$0.00	
GRANTS	\$175,932.32	\$175,932.32	
TOTAL	\$310,118.09	\$310,118.09	\$1,146,097.28

SECTION 251 - ADDITIONAL REQUIREMENTS MONTH ENDING: Feb. 29, 2012	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	
PERSONAL SERVICE			
1129 State Paid Retirement			
1161 Retirement			
1170 Social Security 1180 Group Insurance			
CONTRACTUAL SERVICE			
1205 Freight Express/Drayage			
1223 Repair & Maintenance Real Property			
1225 Repair & Maintenance, EDP Equip.			
1231 Rental, Office Equipment 1232 Rental, Motor Vehicles			
1237 Rental, Film & Audio/Visual Aids			
1239 Rental, NEC			
1242 Auditing & Management Services			
1243 Book Binding & Processing Services 1244 Legal Fees			
1245 Professional & Technical Services, NEC			
1261 Postage			
1266 Court Reporting & Filing Services			
1273 Advertising			
1274 Registration Fees & Conf. Exp. (Vendor) 1276 Registration Fees & Conf. Exp. (Employee)			
1280 Copying, Photographic & Printing Serv.			
1284 Computer Software			
1289 Contractual Services, NEC			
TRAVEL 1291 In-State			
1292 Out-of-State			
PRINTING			
COMMODITIES			
1304 Office/Library Supplies			
1308 Educational & Instructional Materials 1394 Office/Library Equip., Not Exceed. \$100			
1398 Equipment, NEC			
1399 Commodities, NEC			
EQUIPMENT			
1510 Office Furniture & Equipment			
1515 EDP Equipment 1561 Training Equipment			
6625 Leasehold Improvements			
TELECOMMUNICATIONS			
1721 Rental, Telephone Serv. & Equip.			
1722 Rental, Data Comm. Serv. & Equip. 1728 Video Conferencing			
1729 Rental, Other Comm. Serv. & Equip.			
1730 Parts & Supplies for Telephone			
1740 Answering & Pag. Comm. Serv. Equip.			
1750 Telephone, Data, Radio & Other Equip.			
1799 Telecommunication Services, NEC OPERATION OF AUTO EQUIPMENT			
1893 Repair & Maint., Automotive Equipment			
1894 Parts & Fittings, Automotive Equipment			
1896 Gasoline, Oil & Antifreeze			
1898 Automotive Services, NEC 1899 Automotive Expenses, NEC			
INDIRECT COST REFUNDS			
1993 Indirect Cost Allocation Refund			
GRANTS			
4453 Reimbursement to Govt Units (AVE)			
4453 Reimbursement to Govt Units (Phase II) 4453 Reimbursement to Govt Units (ALA)			
4453 Reimbursement to Govt Units (ALA)			
4470 Grants to Local Governments (VRS)	\$1,246,416.37	\$1,246,416.37	
4479 Payments to Other State Agencies		V545 50 5455	001104750
SECTION 251 (NEW REQ) GRAND TOTAL	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY
DECOMAN GEOMOE	***	60.00	
PERSONAL SERVICE STATE PAID RETIREMENT	\$0.00 \$0.00	\$0.00 \$0.00	
RETIREMENT	\$0.00	\$0.00	
SOCIAL SECURITY	\$0.00	\$0.00	
GROUP INSURANCE	\$0.00	\$0.00	
CONTRACTUAL SERVICE	\$0.00 \$0.00	\$0.00 \$0.00	
TRAVEL PRINTING	\$0.00 \$0.00	\$0.00	
COMMODITIES	\$0.00	\$0.00	
EQUIPMENT	\$0.00	\$0.00	
TELECOMMUNICATIONS	\$0.00	\$0.00	
OPERATION OF AUTO EQUIPMENT	\$0.00	\$0.00 \$0.00	
INDIRECT COST REFUNDS GRANTS	\$0.00 \$1,246,416.37	\$0.00 \$1,246,416.37	
	+ · · · · · · · · · · · · · · · · · · ·	* : · · · · · · · · · · ·	
TOTAL	\$1,246,416.37	\$1,246,416.37	\$0.00

Start Date	End Date Activity	Division
2 /21/2012	Last day for voter registration or transfer of registration prior to March 20th General Primary Election. 10 ILCS 5/4,5,6	EL INFO
2 /22/2012	BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
2 /22/2012	First day for grace period registration, change of address and voting begins. 10 ILCS 5/4-50, 5-50, 6-100	EL INFO
2 /22/2012	Notify election authorities to forward a copy of their computer operator's log or analogous information following the proclamation of election results. 10 ILCS 5/24A-13, 24B-13, 24C-14	voss
	(Rules and Regulations)	
2 /24/2012	Committee Deadline Final day for SENATE committee action on SENATE bills. (Senate Rule)	LEG
	Final day for HOUSE committee action on HOUSE bills. (House Rule)	
2 /27/2012	First day for early voting at the office of the Election Authority and locations designated by the Election Authority. 10 ILCS 5/19A-15	EL INFO
2 /27/2012	Have petitions available for new political party and independent candidates. (Candidates may begin to circulate petitions March 27, 2012). 10 ILCS 5/1A-8 (4)	EL INFO
2 /28/2012	Complete profile of pre-election Referenda. 10 ILCS 5/1A-8 (1, 2, 12)	VOSS
2 /28/2012	Send letter to those jurisdictions where in-precinct counting equipment is utilized requesting a list of those precincts involved in the election. 10 ILCS 5/24B-15, 24C-15	VOSS
3 /2 /2012	The last day that the State Board of Elections shall notify political committees that have filed a Statement of Organization of their obligation to file the 2012 MARCH QUARTERLY REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. 10 ILCS 5/9-10, 9-15(9).	CAMP DISC
3 /9 /2012	Notify state central committee chairmen of the time and place of SBE's random selection procedure for the election jurisdictions' 5% retabulation of precincts. 10 ILCS 5/24B-15 and 5/24C-15	VOSS

Start Date	End Date	Activity	Division
3 /9 /2012		Date those jurisdictions utilizing in-precinct counting equipment must submit list of those precincts that will be open for the election. 10 ILCS 5/24B-15, 24C-15	VOSS
3 /9 /2012		Notify state central committee chairmen of the time and place of SBE's random selection procedure for the election jurisdiction's 5% retabulation of early voting equipment. 10 ILCS 5/24A-15, 5/24B-15, 5/24C-15	VOSS
3 /13/2012		Last day of grace period registration, change of address and voting. 10 ILCS 5/4-50, 5-50, 6-100	EL INFO
3 /13/2012		Last day for election authority to notify public of time, date, and place of public test for General Primary. 10 ILCS 5/24B-9	VOSS
3 /13/2012		Last day for early voting at the office of the Election Authority and locations designated by the Election Authority. 10 ILCS 5/19A-15	EL INFO
3 /13/2012		Send verification letter to election authorities to confirm the precinct data they originally submitted for their 5% retabulation. 10 ILCS 5/24B-15,24C-15	VOSS
3 /15/2012		Last day to conduct SBE tests of automatic tabulating equipment. 10 ILCS 5/24B-9, 24C-9	VOSS
3 /16/2012		(date subject to change) 3rd Reading Deadline Final day on which SENATE bills may be called for a final vote on 3rd reading in the SENATE. (Senate Rules) Final day on which HOUSE bills may be called for a final vote on 3rd reading in the HOUSE. (House Rules)	LEG
3 /19/2012		Last day of period during which any receipt of a contribution of \$1000 or more by a political committee participating in the general primary election, must be reported within two business days following its receipt. 10 ILCS 5/9-10(c).	CAMP DISC
3 /19/2012		BOARD MEETING. 10 ILCS 5/1A7, 22-7	EXEC DIR
3 /19/2012		Last day for election authorities to send a sealed copy of each tested program for the upcoming election to the State Board of Elections. The SBE secures the programs until the next General Primary Election. 10 ILCS 5/24B-9, 24C-9	VOSS

Start Date	End Date Activity	Division
3 /19/2012	Last day of period during which independent expenditures of \$1000 or more made by a political committee must be reported electronically within five business days after making the independent expenditure. 10 ILCS 5/9-10(e).	CAMP DISC
3 /20/2012	GENERAL PRIMARY ELECTION.	EL INFO
3 /21/2012	Send notice to the county party chairmen reminding them of their legal responsibility to provide the SBE with a list of their PRECINCT OFFICIALS. Their statutory deadline: April 30 2012. 10 ILCS 5/7-9	ET&RD
3 /21/2012	Destroy the sealed program or programs from the previous election of the same type. 10 ILCS 5/24B-9	voss
3 /21/2012	Begin development of the MANUALS OF INSTRUCTION FOR ELECTION JUDGES FOR 2013 Our goal will be to have the drafts ready for legal review by July 31. We must begin work on these books early so as to avoid scheduling conflicts with other projects such as any work required on possible statewide petition filing's) during the summer months and election judges' training sessions during the 2-month period before the General Election. 10 ILCS 5/1A-8 (1, 2, 3, 4, 11)	ET&RD
3 /21/2012	Begin review and update of the SBE ELECTION JUDGES TRAINING PROGRAM and TESTS for election judges. Complete by June 30, 2012. 10 ILCS 5/1A-8 (1,2,3,6,11)	ET&RD
3 /21/2012	Provide the election authorities in those jurisdictions where in-precinct counting equipment is utilized a list of the precincts selected on a random basis by the State Board of Elections. 10 ILCS 5/24B-15, 24C-15	voss
3 /27/2012	Begin review of computer operator's logs for the performance of automatic tabulating equipment used in the General Primary Election. (Rules and Regulations)	voss
3 /30/2012	First day for election authority to submit computerized voter registration file for the Primary Election 2012. 10 ILCS 5/4-8,5-7,6-36	VRS

Start Date	End Date Activity	Division
4 /2 /2012	First day that any political committee shall file its 2012 MARCH QUARTERLY REPORT OF CAMPAIGN CONTRIBUTIONS AND	CAMP DISC
	EXPENDITURES with the Board. 10 ILCS 5/9-10.	
4 /3 /2012	Begin canvass as soon as abstracts are received from county clerks. (Complete by: April 18, 2012 - depends on how soon abstracts are received from county clerks.) 10 ILCS 5/1A-8 (1, 2, 6, 11)	
4 /3 /2012	Last day for local election authorities to count absentee, military & overseas ballots which were postmarked by midnight March 20, 2012. [10ILCS 5/19-8(c), 20-8(c)]	LEG
4 /9 /2012	Last day for election authorities to submit request for extension to file computerized voter registration information, for the Primary Elections	VRS
	2012. Rules and Regulations	
4 /9 /2012	Last day for election authority to notify public of time, date, and place of re-tabulation for General Primary.	VOSS
	10 ILCS 5/24B-15	
4 /9 /2012	Last day for election authorities to submit computerized voter registration file, for the Primary Election 2012. 10 ILCS 5/4-8,5-7,6-36	VRS
4 /10/2012	Last day for canvassing of election results (March 20 Primary Election) by proper canvassing boards. (Exception: SBE as canvassing board) 10 ILCS 5/18A-15(a)	EL INFO
4 /10/2012	Link report due from the LEO's to the SBE. [10 ILCS 5/19-20, 20-20]	LEG
4 /10/2012	Send notification reminder to election officials who failed to submit their computer operator's log or analogous information. 10 ILCS 5/24A-13, 24B-13, 24C-14 (Rules and Regulations)	voss
4 /13/2012	(date subject to change) Final day for which SENATE committee may take action on HOUSE bills. (Senate Rule) Final day for which HOUSE committee may take action on SENATE bills. (House Rule)	LEG

Start Date	End Date Activity	Division
4 /16/2012	Last day that a political committee shall file its 2012 MARCH QUARTERLY REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES with the Board. 10 ILCS 5/9-10.	CAMP DISC
4 /18/2012	Complete CANVASS. Completion date depends on how soon abstracts are received from the county clerks. Generate material for the "List of Candidates Elected and Nominated" and for the "Official Vote" book. 10 ILCS 5/1A-8(1, 2, 6, 11); 18A-15(a)	EL INFO
4 /18/2012	Secure from each election authority a copy of precinct voting abstracts for the General Primary Election for filing in the SBE Research Library. 10 ILCS 5/1A-8 (11), 22-15	EL INFO
4 /18/2012	Begin preparing the Certificates of Nomination and Election. 10 ILCS 5/1A-8 (1, 2) 5/7-58	EL INFO
4 /20/2012	Distribute campaign financing materials and notices to all newly elected county chairmen, state central committee chairmen, and ward and township committeemen. 10 ILCS 5/1A-8 (1,2,4,11) 10 ILCS 5/9-15.	CAMP DISC
4 /20/2012	BOARD MEETING. (Proclamation) 10 ILCS 5/1A7	EXEC DIR
4 /21/2012	Begin preparation of the 2013 Election and Campaign Finance Calendar.	EL INFO
4 /21/2012	Begin compiling weighted vote figures for legislative and representative committees.	EL INFO
4 /30/2012	Last day for the chairmen of all county central committees to file with the State Board of Elections the names and addresses of their OFFICERS and PRECINCT COMMITTEEMEN. 10 ILCS 5/7-9	ET&RD
5 /1 /2012	Complete analysis of Referenda Profile. 10 ILCS 5/1A-8 (1, 2, 12)	VOSS
5 /1 /2012	Date upon which the State Board of Election shall notify political committees that have failed to file the 2012 MARCH QUARTERLY REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES by the deadline that an assessment will be levied against the committee for failure to file the report in a timely fashion. Rules and Regulations 125.425.	CAMP DISC

- 4. Follow up.
- 5. Comments from the general public.
- 6. Next Board meeting at 10:30 a.m. on Friday, April 20, 2012 in Chicago.
- 7. Executive session.